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# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

DOCUMENTS DEPT.

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Volume 92

Number 18



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 5, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Brown, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 7.

Noted absent at first roll call:

Supervisors Ammiano, Bierman, Medina, Katz - 4.

Quorum present.

Supervisor Ammiano was noted present at 2:04 p.m.

Supervisor Bierman was noted present at 2:04 p.m.

Supervisor Medina was noted present at 2:05 p.m.

Supervisor Katz was noted present at 2:37 p.m. (See infra.)

Supervisor Katz Excused

The Clerk stated Supervisor Katz is on her way from Sacramento and requested to be excused until her arrival.

Supervisor Yaki, seconded by Supervisor Teng, moved to excuse Supervisor Katz.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors, Medina, Katz - 2.

Suspension of the Rules  
Commendations Presented

Supervisor Teng, seconded by Supervisor Yaki, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to present commendations to groups that assisted in the Hate Crime and Graffiti Cleanup on March 22.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10

Absent: Supervisor Katz - 1

Supervisor Teng presented commendations to representatives from Abraham Lincoln High School, Lowell High School, Sunset Youth Coalition, Inner City Youth, Anti-Defamation League, San Francisco SAFE (Safety Awareness for Everyone), Inner Sunset Merchants Association, Walden House, Bank of the Orient, Glaziers Union Local 718, Carpenters Local 22, San Francisco Labor Council, Building and Construction Trades Council, Department of Public Works, and the Department of Parking and Traffic who were among the 250 participants in the March 22 event in the Sunset District.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, March 10, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Sheriff]

Ordinance appropriating \$330,342, Sheriff, of State and Federal Grant Revenue, for overtime, fringe benefits and equipment purchase for fiscal year 1996-97 (\$37,410 for equipment purchase serves as a local match for Citizen's Option for Public Safety (COPS) grant), placing \$37,410 on reserve. (Controller)

File 101-96-60, Ordinance No. 176-97

Finally passed.

[Hold Harmless Agreements, Emergency Circumstances]

Ordinance amending Administrative Code, to authorize the City's assumption of defense and indemnification of consultants and other contractors from claims and lawsuits arising from services performed for and under contract with the City in emergency circumstances. (Building Inspection Commission)

File 97-97-14, Ordinance No. 193-97

(Adds Section 1.25-8.)

Finally passed.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Pharmacy Hours of Operation]

Ordinance amending Planning Code, to exempt pharmacies, as defined, from the permitted hours of operation, thereby allowing pharmacies to operate 24 hours per day and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Teng, Brown, Katz, Ammiano, Yaki, Medina, Newsom, Bierman)

File 115-96-14, Ordinance No. 184-97

(Amends Sections 790.48, 890.48.)

(February 4, 1997 - General Rule Exclusion from Environmental Review.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Efren and Susan Avila v. CCSF et al.]

Ordinance authorizing settlement of litigation of Efren and Susan Avila against the City and County by payment of \$160,000. (City Attorney)

File 45-97-31, Ordinance No. 185-97

(Superior Court No. 968-379.)

Finally passed.

[Anna Hofsass v. CCSF]

Ordinance authorizing settlement of litigation of Anna Hofsass against the City and County by payment of \$10,000. (City Attorney)

File 45-97-32, Ordinance No. 186-97

(Superior Court No. 968-143.)

Finally passed.

[Sean Creed v. CCSF et al.]

Ordinance authorizing settlement of litigation of Sean Creed against the City and County by payment of \$15,000. (City Attorney)

File 45-97-33, Ordinance No. 187-97

(Superior Court No. 952-759.)

Finally passed.

[Kolb/Nationwide Mutual Fire Insurance v. CCSF]

Ordinance authorizing settlement of litigation of William Kolb, Helen J. Kolb, and Nationwide Mutual Fire Insurance Company v. City and County by payment of \$25,000. (City Attorney)

File 45-97-34, Ordinance No. 188-97

(Superior Court No. 966-662.)

Finally passed.

[Arthur Fritz v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Arthur Fritz against the City and County by payment of \$11,500. (City Attorney)

File 45-97-35, Ordinance No. 189-97

(Superior Court No. 976-699.)

Finally passed.

[Barbara Lee v. CCSF]

Ordinance authorizing settlement of litigation of Barbara Lee against the City and County by payment of \$6,500. (City Attorney)

File 45-97-36, Ordinance No. 190-97

(Superior Court No. 975-562.)

Finally passed.

[Harold Morgan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Harold Morgan against the City and County by payment of \$40,000 to JoAnn Morgan, trustee and successor in interest to Harold Morgan. (City Attorney)

File 45-97-37, Ordinance No. 191-97

(Superior Court No. 962-629.)

Finally passed.

[CCSF v. Petrocchi Brothers, et al.]

Ordinance authorizing settlement of City and County v. Petrocchi Brothers, et al., whereby defendants pay to the City \$119,350, transfer title to structure at 301 Spruce Avenue, and enter into a Cooperation Agreement with the City. (City Attorney)

File 46-97-6, Ordinance No. 192-97

(Superior Court No. 969-068.)

Finally passed.

Monday, May 5, 1997

Recommendations of Health, Family & Environment Committee

Adopted

[Tire Recycling Grant Program]

Resolution authorizing the Mayor's Office of Community Development to retroactively apply for, and to accept and expend, up to \$25,000 in tire recycling grant funds from the California Waste Management Board. (Mayor's Office of Community Development)

File 68-97-3, Resolution No. 447-97

Adopted.

[State Grant, Single System of Care]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to apply for retroactively a grant of \$382,592, from the State Department of Mental Health, to develop a single system of care for seriously emotionally disturbed children. (Department of Public Health)

File 146-97-6, Resolution No. 451-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk of the Board

Adopted

[Findings]

Motion adopting findings related to the appeal of the decision of the Director of Public Works approving a Tentative Subdivision Map for the construction of a 6-unit new condominium, in Assessor's Block 1129, Lot 12, at 1850 Turk Street.

File 59-97-2.4

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Department of Human Services]

Ordinance appropriating \$1,004,955, Department of Human Services, (\$1,001,006 Federal and State Revenues and from rescinding Social Services Contracts) for the Greater Avenues to Independence Program (GAIN) for fiscal year 1996-97; creation of twenty-four (24) positions, payment to non-profit service providers, materials and supplies and equipment; placing \$279,000 on reserve and providing for ratification of action previously taken; companion measure to File 102-96-15. (Controller)

File 101-96-58, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Salary Ordinance Amendment, Department of Human Services]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97) Department of Human Services, reflecting the creation of twenty-four (24) positions; companion measure to File 101-96-58. (Department of Human Resources)

File 102-96-15, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Department of Human Services]

Ordinance appropriating \$778,023, Department of Human Services, of Federal and State Revenues, for the implementation of Child Welfare Services/Case Management System and the Teen Parenting Disincentive Program for fiscal year 1996-97. (Creation of thirteen (13) positions and payments for salaries, fringes, overtime, professional services and equipment.); companion measure to File 102-96-16.

File 101-96-59, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Salary Ordinance Amendment, Department of Human Services]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97) Department of Human Services, reflecting the creation of thirteen (13) positions; companion measure to File 101-96-59. (Department of Human Resources)

File 102-96-16, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Department of Environment]

Ordinance appropriating \$93,620, Department of Environment, from General Fund Reserve, for materials and supplies, equipment and services of other departments to cover the cost of office space and other related activities for fiscal year 1996-97, placing \$7,000 on reserve, providing for ratification of action previously taken. (Supervisor Leal)

File 101-96-61, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Department of Elections]

Ordinance appropriating \$927,045, Department of Elections, (\$290,970 from the General Fund Reserve and \$636,066 from SB 90 and other General Government Revenues) for salaries, fringe benefits and other current expenses for fiscal year 1996-97; providing for ratification of action previously taken; placing \$50,000 on reserve. (Controller)

File 101-96-62, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Ethics Commission]

Ordinance appropriating \$17,190, Ethics Commission, from the General Fund Reserve for salaries, fringe benefits and other current expenses (expansion of Proposition 208), for fiscal year 1996-97. (Controller)

File 101-96-63, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, DPH-Mental Health]

Ordinance appropriating \$1,078,000, DPH-Mental Health, to fund various substance abuse services for fiscal year 1996-97; from the General Fund Reserve, from Short-Doyle Medi-Cal and from a SAMHSA Block Grant; providing for action previously taken. (Supervisor Leal)

File 101-96-65, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Department of Public Health]

Ordinance appropriating \$16,063,216, Department of Public Health, of patient revenue, Short-Doyle Medi-Cal realignment and tobacco tax revenues to salaries, fringe benefits, professional services, pharmaceuticals and services of other departments at San Francisco General Hospital and appropriating \$1,783,363 of realignment and Short-Doyle Medi-Cal revenue to medical services contracts at Community Mental Health, to adjust the budget in fiscal year 1996-97 based on current revenue and expenditure projections. (Controller)

File 101-96-66, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate.

[Dispute Resolution Fee]

Ordinance amending Administrative Code, to authorize the Board of Supervisors to increase the surcharge on Superior and Municipal Court filing fees which are designated for the Dispute Resolution Program Fund. (Supervisor Kaufman)

File 97-97-18, Ordinance No.

(Amends Section 10.117-63.)

(Fiscal Impact.)

Passed for second reading by the following vote:



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Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Health Service Plans and Rates of Contributions]

Ordinance amending Administrative Code, approving Health Service System Plans and Rates of Contributions as adopted by the Health Service Board. (Department of Human Resources)

File 97-97-19, Ordinance No.

(Amends Section 16.157.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

The President resumed the Chair.

Adopted

[Termination of Lease, Shell Oil Company]

Resolution approving early termination of leases between Shell Oil Company and the City and County, acting by and through its Airport Commission; providing for ratification of actions previously taken. (Airport Commission)

File 27-97-5, Resolution No. 444-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Public Health Contract]

Resolution authorizing the Director of Health to enter into a contract with Public Health Foundation Enterprises, Inc. to engage in a preventive HIV vaccine safety and immune response trial, subject to certain conditions. (Supervisor Katz)

File 30-97-6, Resolution No. 407-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Lease, Public Utilities Commission/Sprint Spectrum, L.P.]

Resolution authorizing a one (1) year and three hundred and sixty four (364) day (with one three (3) year option and two five (5) year options) lease of Public Utilities Commission land between the City and County and Sprint Spectrum, L.P., in San Francisco County (750 Phelps Street). (Public Utilities Commission)

File 65-97-5, Resolution No. 445-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Lease, Sprint Spectrum, L.P.]

Resolution authorizing a one (1) year and three hundred sixty four (364) day with one eight (8) year and one (1) day option lease of Public Utilities Commission land between the City and County and Sprint Spectrum, L.P., in Alameda County. (Public Utilities Commission)

File 65-97-6, Resolution No. 446-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Sale of Surplus Property]

Resolution authorizing the sale of 5.216 acres of land of Water Department surplus real property located in Sunol, Alameda County, to the State of California for \$64,500. (Real Estate Department)

File 96-97-2, Resolution No. 449-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Filing Fee Increase, Dispute Resolution]

Resolution amending Resolution No. 1118-96, relating to filing fees in the Superior and Municipal Courts authorized by Government Code Sections 26820.4, 26826, 26827, 68090, 72055 and 72056 to implement the state-enacted dispute resolution programs under the Business and Professions Code, by increasing the filing fee surcharge imposed by that resolution from three dollars (\$3) to eight dollars (\$8) in civil actions (other than small claims actions) where the monetary damages exceed two thousand five hundred dollars (\$2,500). (Supervisor Kaufman)

File 238-97-1, Resolution No. 463-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Finance Committee and  
Recommendations of Health, Family and Environment Committee

Adopted

[Administrative Services Contract]

Resolution authorizing retroactively, the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of administrative services to the Chinese Community Health Plan effective March 4, 1997. (Department of Public Health)

File 172-97-9, Resolution No. 454-97

(April 10, 1997 - Transferred from Health, Family and Environment Committee.)

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Administrative Services Contract]

Resolution authorizing retroactively, the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of administrative services to the St. Luke's Physician Hospital Organization effective March 4, 1997. (Department of Public Health)

File 172-97-10, Resolution No. 455-97

(April 10, 1997 - Transferred from Health, Family and Environment Committee.)

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Health, Family and Environment Committee

Adopted

[Used Oil Recycling Grant]

Resolution authorizing retroactively, the City Administrator to apply for, accept and expend \$234,143 in oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (City Administrator)

File 133-97-3, Resolution No. 420-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Katz, Yaki - 2.

[1997-1998 Children's Services Plan]

Resolution approving the Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 16.108. (Mayor Brown, Supervisor Bierman)

File 185-97-1, Resolution No. 416-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Katz, Yaki - 2.

SPECIAL ORDER 3:00 P.M.

Report Presented

[Public Health Director's Report]

Report by Dr. Sandra Hernandez, Director of Public Health, on the state of the City's health care.

File 30-97-5

In the second annual State of the City message, Dr. Sandra R. Hernandez, M.D., Director of Health outlined highlights from information received in the 1996 California Center for Health Improvement Survey and the Department's mission and guidelines which include: Community-based health promotion, prevention and education must be the centerpiece of new program initiatives; all residents must have access to health care coverage; critical safety net functions such as trauma, burn care, specialty care, tertiary care, and social and supportive services must be maintained; and competition in the health field can, if monitored and designed properly for quality, focus our efforts on enhancing efficiency, improving quality and developing community-wide provider networks.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, Muni Key Stops;  
Frederick Hobson, administering Oath to Leba Shephard for Health Authority;  
Scott Lincoln, Housing for disabled;  
Reuben Goodman, Public Health Department;  
Constance Kuruppu, roundtable on police discipline reform.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Final Map]

Motion approving final map of 2170 Harrison Street Lofts, a Live/Work Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 3573, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-7

(April 28, 1997 - Consideration continued to May 5, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Civil Grand Jury Act 1997]

Resolution declaring support for the Civil Grand Jury Training Communication and Efficiency Act of 1997 (AB 829). (Supervisor Ammiano)

File 12-97-19, Resolution No.

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

At the request of Supervisor Ammiano, referred to Rules Committee.

In connection with the above item, Supervisors Bierman, Brown, Katz, Leal requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[State Legislation, Oppose AB 481]

Resolution declaring the City and County of San Francisco to be officially opposed to AB 481 which, if enacted, will preempt important portions of the 1996 legislation of the City and County of San Francisco to reduce lead hazards in private housing where lead-poisoned children reside and otherwise interfere with other efforts of the City and County to prevent childhood lead poisoning, while minimizing negative impacts on housing affordability; and authorizing the Lead Hazard Reduction Citizens' Advisory Committee to represent the City and county in opposing AB 481. (Supervisors Bierman, Katz, Brown, Medina, Teng, Yaki, Leal, Ammiano)

File 12-97-14, Resolution No. 465-97

(April 28, 1997 - Consideration continued to May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Teng, Yaki, Leal, Ammiano requested to be added as co-sponsors.

[Commendation]

Resolution commending the volunteers who participated in the March 22nd Hate Crime Clean-up Day in the Sunset District. (Supervisors Teng, Kaufman, Bierman, Brown, Katz, Medina, Newsom, Yaki, Leal, Ammiano)

File 6-97-74, Resolution No. 424-97

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Medina, Newsom, Yaki, Leal, Ammiano requested to be added as co-sponsors.

[Commendation]

Resolution commending the Chinese Chamber of Commerce for its commitment to the Chinese American community and declaring May 2, 1997 as "The Chinese Chamber of Commerce Day" in San Francisco. (Supervisors Teng, Kaufman, Bierman, Brown, Katz, Medina, Newsom, Yaki, Leal)

File 6-97-75, Resolution No. 425-97

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Medina, Newsom, Yaki, Leal requested to be added as co-sponsors.

[Commendation]

Resolution commending the "Asian Pacific American Heritage Month" and declaring May 1997 as "Asian Pacific American Heritage Month" in the City and County of San Francisco. (Supervisors Teng, Kaufman, Bierman, Brown, Katz, Newsom, Yaki, Leal)

File 6-97-76, Resolution No. 426-97

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Newsom, Yaki, Leal requested to be added as co-sponsors.

[State Legislation AB 1164]

Resolution urging the California State Assembly to pass AB 1164 for relief of Californians making the transition from welfare to work and directing the Clerk to forward a copy of this resolution to the City's lobbyist in the City of Sacramento. (Supervisors Medina, Bierman, Brown, Katz, Teng, Yaki, Leal)

File 12-97-20, Resolution No. 437-97

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Teng, Yaki, Leal requested to be added as co-sponsors.

[Children Services Plan Contract]

Resolution declaring the policy of the City and County to be that all Children's Services Plan (CSP) contracts require providers of family and children's services to make available basic preventative health care information to parents and other care givers. (Supervisors Bierman, Yee, Katz, Brown, Medina, Teng, Leal, Ammiano)

File 185-97-2, Resolution No. 458-97

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Teng, Leal, Ammiano requested to be added as co-sponsors.

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[White Zone, Pregnancy Consultation Center]

Resolution urging the Department of Parking and Traffic to establish a white zone in front of the Pregnancy Consultation Center at 1801 Bush Street. (Supervisors Katz, Leal, Bierman, Brown, Medina, Teng, Ammiano)

File 190-97-8, Resolution No. 460-97

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Medina, Teng, Ammiano requested to be added as co-sponsors.

[Baby Brigade Rally]

Resolution supporting the efforts of the Baby Brigade Rally to bring attention to the need for affordable, quality childcare and family support services. (Supervisors Yee, Bierman, Brown, Katz, Medina, Newsom, Teng, Leal, Ammiano)

File 215-97-4, Resolution No. 462-97

(April 28, 1997 - Introduced in Board for consideration on May 5, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina, Newsom, Teng, Leal, Ammiano requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### [Imperative Resolutions]

Adopted

[SFUSD Language Olympics Awards Commendation]

Resolution commending the student winners of the 1997 San Francisco Unified School District Language Olympics.

File 006-97-077, Resolution No. 427-97

Supervisors Medina, Bierman, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Commend Tenderloin Neighborhood Development Corporation]

Resolution commending the Tenderloin Neighborhood Development Corporation on its sixteenth anniversary and proclaiming May 6, 1997, Tenderloin Neighborhood Development Corporation Day.

File 006-97-078, Resolution No. 428-97

Supervisors Medina, Bierman, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Budget Process]

Substitute Ordinance amending Administrative Code to establish a budget process pursuant to Charter Section 9.100 by repealing Sections 3.05 through 3.20 and adding Sections 3.1 through 3.25 and reserving Sections 3.26 through 3.49 for future use. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the May 14, 1997 meeting.

File 097-97-017.

[Low-Value Tax Exemption]

Ordinance amending Administrative Code by adding Section 10.2-8 to exempt from property taxation all personal property of a taxpayer on the unsecured property tax roll with a total full value of \$4,000 or less. Supervisor Brown presented. Referred to Finance Committee.

File 097-97-026.

[Pesticides]

Ordinance amending Administrative Code by amending Sections 39.1 through 39.8 and adding Sections 39.9 and 39.10 to establish a city integrated pest management policy and implementation program for the management of pesticide applications on city property by city departments and city contractors using city property and to allow exemptions from the city's policy banning certain pesticide applications on city property. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 097-97-030.

[Hotel Tax Reallocation]

Ordinance amending Part III by amending Section 515.01 to allocate a portion of hotel tax funds to the city-owned cultural centers. Supervisor Bierman presented. Referred to Finance Committee.

File 127-97-004.

[Hotel Tax Technical Amendments]

Ordinance amending Part III by amending Section 515 and adding Section 515.01 to make technical amendments to clarify the allocation of revenues derived from the tax imposed by Section 502. Supervisor Bierman presented. Referred to Finance Committee.

File 127-97-005.

[Mission Bay General Plan Amendment]

Substitute Ordinance approving amendments to a portion of the San Francisco General Plan, the Mission Bay Specific Plan, reclassifying a site within Mission Bay, located north of Sixteenth Street between Owens and Sixth Streets, a portion of Lot 3 in Assessor's Block 3835, to a designation permitting biotechnology research facilities. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 271-97-003.

Referred to Board

[Grant, State Funds]

Resolution authorizing the Chief of Police of the City and County to retroactively apply for, accept and expend funds in the amount of \$100,000 for a project known as the "Suppression of Drug Abuse in the Schools", and rescinding Resolution No. 838-96. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 143-96-004.01.

[Commending the Emmitt Powell Gospel Elites]

Resolution commending the Emmitt Powell Gospel Elites on their Twentieth Anniversary and declaring May 5th as Emmitt Powell Gospel Elites Day in San Francisco. Supervisors Brown, Bierman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 006-97-079.

[Emergency Medical Services Week]

Resolution designating the week of May 18-24, 1997 as Emergency Medical Services Week in San Francisco and recognizing the members of emergency medical services teams for their work in providing lifesaving care to the residents of the City and County of San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 006-97-080.

[Remember Our Hong Kong Roots Day]

Resolution declaring June 7, 1997 as "Remember Our Hong Kong Roots Day" in the City and County of San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 006-97-081.

[Commendation, A. Richard Cerbatos]

Resolution commending A. Richard Cerbatos for his years of dedication and service to the City and County of San Francisco. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 006-97-082.

[Commendation]

Resolution commending San Francisco Court Appointed Special Advocate Program (SFCASA) for serving San Francisco's dependent children. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 006-97-083.

[Supporting AB 1059 - Domestic Partnership]

Resolution supporting California State Assembly Bill 1059 which provides for state registration of domestic partnership and requires health service plans and insurers to offer domestic partner coverage to employers. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 012-97-021.

[Halt Aid to Indonesia]

Resolution urging President Bill Clinton to take immediate administrative and legislative steps to halt all United States military aid, economic aid, and weapons sales to Indonesia until the Indonesian government complies with United Nations resolutions. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 013-97-015.



Referred to Committee

[Stop Intersection, 17th and Eureka Streets]

Resolution approving the installation of a Stop sign at the intersection of 17th and Eureka Streets for a trial period of twelve months. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 018-97-003.

[Public Access Cable Television Provider]

Resolution designating the San Francisco Community Television Corporation to manage and control the public access cable television channel for the City. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 032-97-004.

[Mission Bay Plan Environmental Review]

Substitute resolution adopting Addendum #2 to Final Environmental Impact Report and incorporating findings regarding Final EIR and Addendum #2 to Final EIR in connection with amendments to the Mission Bay Plan, which forms a part of the San Francisco General Plan, zoning reclassification and amendments to the Planning Code. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 036-97-003.01.

Referred to Board

[Grant, Private Funds]

Resolution authorizing the Sheriff's Department to apply for, retroactively, accept and expend \$110,000 in funds from the Center on Crime, Communities, and Culture to support the theater component of the Resolve to Stop the Violence Project (RSVP). Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 152-97-003.

[Children's Services Plan]

Resolution recommending strategies to the Mayor's Office of Children, Youth and Families (MOCYF) so that it can best carry out its mandate and the ideas articulated in the Children's Services Plan. Supervisors Bierman, Yee, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 185-97-003.

[All Direction Red Light Report]

Resolution requesting the Department of Parking and Traffic to supply the Board of Supervisors with written reports for the past four reporting periods pursuant to Traffic Code Section 48.1 for the purpose of determining whether there has been a decrease or increase in accidents at traffic sites at which the department has installed an all direction red signal controls. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 190-97-009.

[Wells Fargo Haight-Ashbury Branch]

Resolution urging Wells Fargo Bank to delay closing of its Haight Street branch until an alternative facility can be found and to withdraw the stipulation regarding maintaining control of the ATM at that location. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 243-97-001.01.

Requests for Hearings:

[Sale of Tobacco Paraphernalia Report]

Hearing to consider the six month report on interim zoning controls temporarily prohibiting the establishment of new enterprises that sell tobacco paraphernalia. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 111-96-003.01.

[Golden Gate National Recreation Area]

Hearing to consider urging the Golden Gate National Recreation Area to work with neighborhood residents to allow dogs to be on a beach without the use of a leash. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 013-97-016.

[Lobbyist Registration Fee Increase]

Hearing to consider amending the Administrative Code to authorize a fee increase for Lobbyist registration. Supervisor Ammiano presented. Referred to Finance Committee.

File 097-97-031.

[Gay, Lesbian Issues]

Hearing to assess the economic needs of the lesbian and gay bisexual transgendered community. Supervisors Ammiano, Katz presented. Referred to Health, Family and Environment Committee.

File 108-97-002.

[Impacts of Welfare Reform]

Hearing to consider impacts of welfare reform on children, families, seniors and general assistance recipients, and to evaluate the child care and health care needs of AFDC recipients and others required to seek employment under the new law. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 232-97-003.

[Treasure Island Development Authority]

Hearing to consider expanding the membership of the Treasure Island Development Authority to allow each member of the Board of Supervisors to appoint one member to the Authority. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-003.01.

Motions:

Referred to Board

[Telecommunication Commission Meetings]

Motion to allow the Telecommunication Commission to hold regularly scheduled meetings in the Board of Supervisors Committee Room in order for those meetings to be televised. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 12, 1997.

File 054-97-005.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 093-97-035. [MEA Arbitration Award] Ordinance adopting and implementing the provisions of an arbitrator's award dated March 31, 1997 setting the compensation of classifications represented by the Municipal Executives Association for Bargaining Units M and EM for the period July 1, 1996 through June 30, 1998. (Also see File 93-95-31). (Department of Human Resources) Referred to Finance Committee.

File 101-96-064. [Appropriation, Public Library] Substitute ordinance appropriating \$1,583,586, Public Library, of 1988 Public Library Improvement Bond interest earnings to capital improvement projects (construction contingency), for fiscal year 1996-97. RO #96255. (Controller) Referred to Finance Committee.

File 101-96-068. [Appropriation, District Attorney] Ordinance appropriating \$55,000, District Attorney's Office, from the General Fund Reserve for litigation expenses (investigative services and witness support) for fiscal year 1996-97. RO #96298. (Controller) Referred to Finance Committee.

File 101-96-069. [Appropriation, Juvenile Probation] Ordinance appropriating \$472,209, Juvenile Probation, of State Revenue for salaries, materials and supplies, other current expenses, equipment and facilities maintenance (Log Cabin Ranch) for fiscal year 1996-97; placing \$118,222 on reserve. RO #96128. (Controller) Referred to Finance Committee.

File 101-96-070. [Appropriation, Public Defender's Office] Ordinance appropriating \$140,000, Public Defender's Office, of Court Fee Revenue to salaries and fringe benefits to address the projected budget shortfall for fiscal year 1996-97. RO #96300. (Controller) Referred to Finance Committee.

File 101-96-071. [Appropriation, Assessor's Office] Ordinance appropriating \$250,000, Assessor's Office, from the General Fund Reserve for professional (legal) services for fiscal year 1996-97. RO #96303. (Controller) Referred to Finance Committee.

File 101-96-072. [Appropriation, Mayor's Office] Ordinance appropriating \$66,000, Mayor's Office, from the General Fund Reserve to security services in fiscal year 1996-97, to reimburse the Community United Against Violence (CUAV), for costs associated with a 1996 halloween event; providing for ratification of action previously taken. RO #96304. (Controller) Referred to Finance Committee.

File 101-96-073. [Appropriation, DPH-Mental Health] Ordinance appropriating \$400,000, Department of Public Health-Mental Health, of State Revenue for other medical services, to provide additional children and youth crises services in fiscal year 1996-97. RO #96306. (Controller) Referred to Finance Committee.

File 101-96-074. [Appropriation, Public Library] Ordinance appropriating \$399,660, Public Library, of 1988 Public Library Improvement Bond interest earnings to capital improvement projects (construction contingency), for fiscal year 1996-97. RO #96255A. (Controller) Referred to Finance Committee.

File 172-97-023. [City Hall Improvements Project] Substitute ordinance authorizing the Department of Public Works to contract for Proposition A - City Hall Improvement Bond Project work by modifying the contract of the General Contractor (Huber, Hunt & Nichols), on the City Hall Seismic Project. (Department of Public Works) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 048-97-034. [Settlement of Claim, Richard Kamp] Resolution approving the settlement of the unlitigated claim of Richard Kamp by payment of \$12,500. (City Attorney) Referred to Rules Committee.

File 048-97-035. [Settlement of Claim, Cyrus Frank] Resolution approving the settlement of the unlitigated claim of Cyrus Frank by payment of \$7,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-036. [Claim, Joni Herr-Young/Dallas Dean Kort/CSAA] Resolution approving the settlement of the unlitigated claim of Joni Herr-Young, Dallas Dean Kort and California State Automobile Association by payment of \$8,160.93. (City Attorney) Referred to Rules Committee.

File 133-97-004. [Santa Clara County Receipt] Resolution authorizing the City Administrator (CA) of the City and County of San Francisco to accept and expend \$33,000 from Santa Clara County for waste prevention educational materials. (City Administrator) Referred to Health, Family and Environment Committee.

File 138-97-001. [Automobile Insurance Fraud Grant] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$300,000.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1996 through June 30, 1997. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 138-97-002. [Workers' Compensation Fraud Grant] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$307,754.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Workers' Compensation Fraud" for the period of July 1, 1996 through June 30, 1997. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 141-97-002. [State Grant, Juvenile Drug Court Program] Resolution authorizing the San Francisco Trial Courts to retroactively apply for, accept and expend grant funding in the amount of \$17,355 from the Judicial Council of California to underwrite the cost of the Juvenile Drug Court Program for calendar year 1997. (Superior Court) Referred to Health, Family and Environment Committee.

File 141-97-003. [Federal Grant, Juvenile Drug Court Program] Resolution authorizing the San Francisco Trial Courts to retroactively apply for, accept and expend grant funding in the amount of \$19,955 from the Office of Justice Programs to underwrite the cost of planning the establishment of the Juvenile Drug Court Program for calendar year 1997. (Superior Court) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare an ordinance amending the Police Code, Article 13, Section 869 to allow veterans better access to permits, and to bring the law into compliance with the California Business & Professions Code 16102.

By Supervisor Ammiano, that letter be sent to all department heads requesting suggested recommendations to streamline the Administrative Code.

Monday, May 5, 1997

By Supervisor Ammiano, that letter be sent to the Controller requesting a supplemental appropriation of \$35,000 be prepared to fund HIV testing services at City College.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

File 2-97-16

Mrs. Sharon Rogers (Bierman)  
Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:25 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 28, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

OF  
S90  
#72  
5/12/97

Monday, May 12, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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Monday, May 12, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Yaki - 6.

Noted absent at first roll call:

Supervisors Katz, Leal, Medina, Teng, Yee - 5.

Quorum present.

Supervisor Katz was noted present at 2:05 p.m.

Supervisor Leal was noted present at 2:04 p.m.

Supervisor Medina was noted present at 2:06 p.m.

Supervisor Teng was noted present at 2:04 p.m.

Supervisor Yee was noted present at 2:05 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Human Services]

Ordinance appropriating \$1,004,955, Department of Human Services, (\$1,001,006 Federal and State Revenues and from rescinding Social Services Contracts) for the Greater Avenues to Independence Program (GAIN) for fiscal year 1996-97; creation of twenty-four (24) positions, payment to non-profit service providers, materials and supplies and equipment; placing \$279,000 on reserve and providing for ratification of action previously taken; companion measure to File 102-96-15. (Controller)

File 101-96-58, Ordinance No. 174-97

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Department of Human Services]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97) Department of Human Services, reflecting the creation of twenty-four (24) positions; companion measure to File 101-96-58. (Department of Human Resources)

File 102-96-15, Ordinance No. 182-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Human Services]

Ordinance appropriating \$778,023, Department of Human Services, of Federal and State Revenues, for the implementation of Child Welfare Services/Case Management System and the Teen Parenting Disincentive Program for fiscal year 1996-97. (Creation of thirteen (13) positions and payments for salaries, fringes, overtime, professional services and equipment.); companion measure to File 102-96-16.

File 101-96-59, Ordinance No. 175-97

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Department of Human Services]  
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97) Department of Human Services, reflecting the creation of thirteen (13) positions; companion measure to File 101-96-59. (Department of Human Resources)

File 102-96-16, Ordinance No. 183-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Environment]  
Ordinance appropriating \$93,620, Department of Environment, from General Fund Reserve, for materials and supplies, equipment and services of other departments to cover the cost of office space and other related activities for fiscal year 1996-97, placing \$7,000 on reserve, providing for ratification of action previously taken. (Supervisor Leal)

File 101-96-61, Ordinance No. 177-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Elections]  
Ordinance appropriating \$927,045, Department of Elections, (\$290,970 from the General Fund Reserve and \$636,066 from SB90 and other General Government Revenues) for salaries, fringe benefits and other current expenses for fiscal year 1996-97; providing for ratification of action previously taken; placing \$50,000 on reserve. (Controller)

File 101-96-62, Ordinance No. 178-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Ethics Commission]  
Ordinance appropriating \$17,190, Ethics Commission, from the General Fund Reserve for salaries, fringe benefits and other current expenses (expansion of Proposition 208), for fiscal year 1996-97. (Controller)

File 101-96-63, Ordinance No. 179-97

(Fiscal Impact.)

Finally passed.

[Appropriation, DPH-Mental Health]  
Ordinance appropriating \$1,078,000, DPH-Mental Health, to fund various substance abuse services for fiscal year 1996-97; from the General Fund Reserve, from Short-Doyle Medi-Cal and from a SAMHSA Block Grant; providing for action previously taken. (Supervisor Leal)

File 101-96-65, Ordinance No. 180-97

Finally passed.

[Appropriation, Department of Public Health]  
Ordinance appropriating \$16,063,216, Department of Public Health, of patient revenue, Short-Doyle Medi-Cal realignment and tobacco tax revenues to salaries, fringe benefits, professional services, pharmaceuticals and services of other departments at San Francisco General Hospital and appropriating \$1,783,363 of realignment and Short-Doyle Medi-Cal revenue to medical services contracts at Community Mental Health, to adjust the budget in fiscal year 1996-97 based on current revenue and expenditure projections. (Controller)

File 101-96-66, Ordinance No. 181-97



(Fiscal Impact.)

Finally passed.

[Dispute Resolution Fee]  
Ordinance amending Administrative Code, to authorize the Board of Supervisors to increase the surcharge on Superior and Municipal Court filing fees which are designated for the Dispute Resolution Program Fund. (Supervisor Kaufman)

File 97-97-18, Ordinance No. 194-97

(Amends Section 10.117-63.)

(Fiscal Impact.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Yaki - 6.

Absent: Supervisors Katz, Leal, Medina, Teng, Yee - 5.

#### UNFINISHED BUSINESS

#### REGULAR CALENDAR

#### Recommendation of Finance Committee

Finally Passed

[Health Service Plans and Rates of Contributions]  
Ordinance amending Administrative Code, approving Health Service System Plans and Rates of Contributions as adopted by the Health Service Board. (Department of Human Resources)

File 97-97-19, Ordinance No. 195-97

(Amends Section 16.157.)

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Medina - 1.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, DPH-Mental Health]  
Ordinance appropriating \$361,154, Department of Public Health/Mental Health/Community Substance Abuse Service Division, to fund various substance abuse services (\$130,385 from General Fund Reserve and \$230,769 from SAMHSA Block Grant); placing \$230,769 on reserve; for fiscal year 1996-97. (Supervisor Leal)

File 101-96-65.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki - 7.

Absent: Supervisors Katz, Leal, Medina, Yee - 4.

(Supervisor Kaufman dissenting in Committee.)

[MOU, Building Inspectors 6331/6333]

Ordinance implementing the provisions of a Memorandum of Understanding between the Building Inspectors Association and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-11, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Teng, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Medina - 1.

(Supervisor Kaufman dissenting in Committee.)

[MOU, Building Inspectors 6334]

Ordinance implementing the provisions of a Memorandum of Understanding between the Building Inspectors Association and the City and County for 6334 Chief Building Inspectors for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-12, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Teng, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Medina - 1.

[City Hall Improvement Project Funding]

Ordinance authorizing the Department of Public Works to retroactively contract for Proposition A - City Hall Improvement Bond Project work by modifying the contract of the general contractor on the City Hall Seismic Project. (Department of Public Works)

File 172-97-23, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Prop J Contract, Legal Services, District Attorney]

Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-97-2, Resolution No. 440-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Prop J Contract, Jail Food Services]

Resolution approving the Controller's certification that county jail food service management operations for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff)

File 25-97-3, Resolution No. 441-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Prop J Contract, Own Recognizance Project]

Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff)

File 25-97-5, Resolution No. 442-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Prop J Contract, Pre-Trial Diversion Program]

Resolution approving the Controller's certification that the pretrial diversion program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff)

File 25-97-6, Resolution No. 443-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Agreement, Sheriff - Alert Network, Inc.]

Resolution authorizing the Sheriff's Department to enter into an agreement with Community Alert Network, Inc. for an automated telephone notification system, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff)

File 172-97-20, Resolution No. 456-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

From Finance Committee Without Recommendation

Consideration Continued

[Prop J Contract, Eviction Assistance Program]

Resolution approving the Controller's certification that the eviction assistance program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff)

File 25-97-4, Resolution No.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Leal, moved to continue consideration to June 2, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

Recommendation of Housing and Neighborhood Services Committee

Passed for Second Reading

[Sidewalk Width Regulations, Ocean Avenue]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1540 changing the official sidewalk width on a portion of the north side of Ocean Avenue easterly of Dorado Terrace and Jules Avenue, as shown on the Department of Public Works drawing labeled Q-200-475 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted

[Encroachment Permit, O'Farrell Street]

Resolution granting revocable permission to DPR Construction, Inc. to temporarily close and occupy the north sidewalk and a portion of the street area on O'Farrell Street During construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 and 5). (Department of Public Works)

File 10-97-5, Resolution No. 436-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Newsom - 2.

[Transbay Terminal Replacement Facility]

Resolution indicating the Board of Supervisors' endorsement of the Main/Beale South Design Concept and Program for a replacement facility for the transbay transit terminal and urging the Mayor to take all steps necessary, with Caltrans, the Metropolitan Transportation Commission, and other parties as appropriate, to complete project planning and assure implementation of the facility and its integration with area land use and revitalization. (Supervisor Yaki)

File 85-97-2, Resolution No. 448-97

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 7.

Noes: Supervisors Ammiano, Bierman - 2.

Absent: Supervisors Kaufman, Newsom - 2.

The President resumed the Chair.

[Sale of Tax-Defaulted Property]

Resolution authorizing the Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Tax Collector)

File 166-97-1, Resolution No. 453-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Advertising on Vessels on Port Waters]

Resolution amending the Harbor Traffic Code to prohibit outdoor signs and advertising on vessels on Port waters. (Port)

File 173-97-2, Resolution No. 457-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

COMMITTEE REPORTS

Recommendation of Health, Family and Environment Committee

Consideration Continued

[Nondiscrimination, Contract, Property Contract]  
Ordinance amending Administrative Code, to update and simplify provisions; to conform language to historical interpretations; to prohibit discrimination by city contractors based on the perception of a person's status within a category against which discrimination is prohibited and based on fact or perception of a person's domestic partner status or marital status; to apply Chapters 12B and 12C's nondiscrimination requirements to property contracts, as defined, including property contracts granting a property interest to the City; to define "contracts" and "property contracts" that are subject to Chapters 12B and 12C; to define "amendment" of a contract to include substantive amendments and to exclude construction change orders; to clarify the application of Section 12B.2(B) to a prime contractor's or subcontractor's operations throughout the United States; to require city contractors to treat requests for domestic partner or spousal benefits as confidential; and to provide certain exceptions to Chapters 12B and 12C in Sections 12B.5-1 and 12C.5-1. (Supervisors Katz, Ammiano, Leal, Bierman)

File 97-97-21, Ordinance No.

(Amends Chapters 12B and 12C.)

Supervisor Yaki, seconded by Supervisor Newsom, moved to continue consideration to May 19, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae Smoore, police brutality;  
Unidentified woman, Muni's handicapped services;  
Michael Balifontaine, conditions at Ambassador Hotel;  
Kenneth Scheidig, comments from AC Transit on Caltrain Downtown Extension Project;  
Vernon, job policy of city;  
Richard Hamlin, camera problems during filming of Board meeting;  
Keith McHenry, Police Department harassment.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Federal Regulation]  
Resolution opposing lifting restrictions on Mexican trucks entering California. (Supervisors Leal, Bierman)

File 13-97-17, Resolution No.

(May 6, 1997 - Referred to Board for consideration on May 12, 1997.)

Supervisor Leal, seconded by Supervisor Yaki, moved to continue consideration to May 19, 1997, to correct clerical error to calendar, by inserting "opposing" before the word "lifting" in the title.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki - 9.

Absent: Supervisors Newsom, Yee - 2.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Grant, State Funds]

Resolution authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of \$100,000 for a project known as the "Suppression of Drug Abuse in the Schools", and rescinding Resolution No. 838-96. (Supervisors Ammiano, Bierman, Katz, Medina)

File 143-96-4.1, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Medina requested to be added as co-sponsors.

[Commending the Emmitt Powell Gospel Elites]

Resolution commending the Emmitt Powell Gospel Elites on their Twentieth Anniversary and declaring May 5th as Emmitt Powell Gospel Elites Day in San Francisco. (Supervisors Brown, Bierman, Teng, Katz, Medina, Newsom)

File 6-97-79, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Newsom requested to be added as co-sponsors.

[Emergency Medical Services Week]

Resolution designating the week of May 18-24, 1997 as Emergency Medical Services Week in San Francisco and recognizing the members of emergency medical services teams for their work in providing lifesaving care to the residents of the City and County of San Francisco. (Supervisor Kaufman, Bierman, Katz, Leal, Medina, Newsom, Teng, Yaki)

File 6-97-80, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Leal, Medina, Newsom, Teng, Yaki requested to be added as co-sponsors.

[Remember Our Hong Kong Roots Day]

Resolution declaring June 7, 1997 as "Remember Our Hong Kong Roots Day" in the City and County of San Francisco. (Supervisors Teng, Medina, Yaki)

File 6-97-81, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Yaki requested to be added as co-sponsors.

[Commendation, A. Richard Cerbatos]

Resolution commending A. Richard Cerbatos for his years of dedication and service to the City and County of San Francisco. (Supervisors Yee, Medina, Bierman)

File 6-97-82, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman, Katz, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending San Francisco Court Appointed Special Advocate Program (SFCASA) for serving San Francisco's dependent children. (Supervisors Yee, Bierman, Leal, Medina, Teng, Yaki)

File 6-97-83, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal, Medina, Teng, Yaki requested to be added as co-sponsors.

[Supporting AB 1059 - Domestic Partnership]

Resolution supporting California State Assembly Bill 1059 which provides for state registration of domestic partnership and requires health service plans and insurers to offer domestic partner coverage to employers. (Supervisors Katz, Bierman, Leal, Teng, Yaki)

File 12-97-21, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Yaki requested to be added as co-sponsors.

[Halt Aid to Indonesia]

Resolution urging President Bill Clinton to take immediate administrative and legislative steps to halt all United States military aid, economic aid, and weapons sales to Indonesia until the Indonesian government complies with United Nations resolutions. (Supervisors Brown, Bierman)

File 13-97-15, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

[Grant, Private Funds]

Resolution authorizing the Sheriff's Department to apply for, retroactively, accept and expend \$110,000 in funds from the Center on Crime, Communities, and Culture to support the theater component of the Resolve to Stop the Violence Project (RSVP). (Supervisors Katz, Bierman, Leal, Medina)

File 152-97-3, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal, Medina requested to be added as co-sponsors.

[Children's Services Plan]

Resolution recommending strategies to the Mayor's Office of Children, Youth and Families (MOCYF) so that it can best carry out its mandate and the ideas articulated in the Children's Services Plan. (Supervisors Bierman, Yee, Katz, Leal, Medina)

File 185-97-3, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Medina requested to be added as co-sponsors.

[All Direction Red Light Report]

Resolution requesting the Department of Parking and Traffic to supply the Board of Supervisors with written reports for the past four reporting periods pursuant to Traffic Code Section 48.1 for the purpose of determining whether there has been a decrease or increase in accidents at traffic sites at which the department has installed an all direction red signal controls. (Supervisors Newsom, Bierman)

File 190-97-9, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Wells Fargo Haight-Ashbury Branch]

Resolution urging Wells Fargo Bank to delay closing of its Haight Street branch until an alternative facility can be found and to withdraw the stipulation regarding maintaining control of the ATM at that location. (Supervisors Bierman, Medina)

File 243-97-1.1, Resolution No.

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Telecommunication Commission Meetings]

Motion to allow the Telecommunication Commission to hold regularly scheduled meetings in the Board of Supervisors Committee Room in order for those meetings to be televised. (Supervisors Bierman, Medina)

File 54-97-5

(May 5, 1997 - Introduced in Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Proclaiming Lucine Amara Day]

Resolution proclaiming May 18, 1997 as "Lucine Amara Day". (Supervisors Leal, Bierman)

File 4-97-23, Resolution No.

(May 6, 1997 - Referred to Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Stop Red Light Running]

Resolution declaring May 14, 1997 as Stop Red Light Running Awareness Day in the City and County of San Francisco. (Supervisors Leal, Bierman, Katz, Newsom)

File 4-97-24, Resolution No.

(May 7, 1997 - Referred to Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Newsom requested to be added as co-sponsors.



[Grant, Transportation Fund for Clean Air]

Resolution authorizing the City Administrator to apply for \$287,000 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. (Supervisors Leal, Bierman)

File 133-97-5, Resolution No.

(May 7, 1997 - Referred to Board for consideration on May 12, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with

the needle exchange. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.8

(May 7, 1997 - Referred to Board for consideration on May 12, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki - 9.

Absent: Supervisors Newsom, Yee - 2.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki - 9.

Absent: Supervisors Newsom, Yee - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Teng, Yaki - 9.

Absent: Supervisors Newsom, Yee - 2.

#### [Imperative Resolutions]

Adopted

[Israeli Independence Day]

Resolution recognizing the Forty-Ninth Independence Day of the State of Israel and proclaiming May 12, 1997 as Israeli Independence Day in San Francisco.

File 006-97-084.

Supervisors Kaufman, Leal, Bierman, Katz presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Recognizing Former Governor Mario Cuomo]

Resolution recognizing former Governor Mario Cuomo for his contributions to the Jewish community and commending him for his many progressive accomplishments as the Governor of New York.

File 006-97-085.

Supervisors Kaufman, Leal, Bierman, Katz presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Office of Community Development]

Ordinance appropriating \$100,000, Mayor's Office-Community Development, from General Fund Reserve, to renew the contract for the Day Labor Program for fiscal year 1996-97. Supervisor Leal presented. Referred to Finance Committee.

File 101-96-086.

Referred to Board

[Commending Muni Bus Drivers]

Resolution commending the Muni bus drivers: Jovencio Rendon, Johnny Cannon, Edward Hamilton and Eugene Irby who were acknowledged by the Senior Action for their outstanding level of courtesy, safety and general excellence. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 006-97-086.

[Commending Shao Kuang Ting]

Resolution commending Mr. Shao Kuang Ting for his outstanding artistic achievement. Supervisors Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 006-97-087.

[Commending Chinatown American Cooks School]

Resolution commending the Chinatown American Cooks School in their efforts to provide vocational training to the San Francisco and Bay Area communities declaring June 6, 1997 as "The Chinatown American Cooks School Day" in San Francisco. Supervisors Teng, Yaki, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 006-97-088.

[Council of District Merchants Association]

Resolution commending the San Francisco Council of District Merchants Association on their Annual Awards Dinner on May 16, 1997. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 006-97-089.

[Commending Citizens Ambassadors Conference]

Resolution commending the Citizens Ambassadors Conference which will commemorate the 40th Anniversary of the San Francisco-Osaka Sister City relationship. Supervisors Yaki, Teng, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 006-97-090.

[Marijuana Flower Therapy Raid]

Resolution urging the U.S. Attorney, Michael Yamaguchi, not to proceed with the prosecution of the individuals connected with the flower therapy raid; furthermore, urging the U.S. Attorney to respect the will of the voters, who passed overwhelmingly Proposition 215, which legalized the compassionate use of marijuana. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 013-97-018.

Referred to Committee

[Support for ABC Class Members]

Resolution declaring support for the ABC Class Members who are demanding that they be given a permanent legal status solution so that they can cease to live in fear, and/or in INS status limbo, and live securely in this country where they have begun a new life. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 013-97-019.

Referred to Board

[Elderly Legal Immigrants]

Resolution declaring support for Senator Dianne Feinstein's SSI Bill, co-sponsored by Senator John Chafee, S. 615, which would allow all legal immigrants who were collecting SSI as of August 22, 1996 to continue on the program, and would continue eligibility for all refugees who were in the country as of that date, furthermore, urging the Federal Lobbyist to strongly advocate for S. 615 in the White House, as well as with both House and Senate Republican and Democratic Leadership to emphasize the necessity of continuing SSI for elderly legal immigrants who will be cut off from SSI as of August 22, 1997. Supervisors Ammiano, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 013-97-020.

[Policy-Discharge of Employee Convicted of Felony]

Resolution urging the Mayor, the City Attorney, Muni Management and the Transportation Workers Union to work with pride at work at Local 790, to draft an ordinance that establishes a policy that any city employee who is convicted of committing a felony hate crime cannot remain a city employee. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 043-97-002.

[Legislation Introduced on the Internet]

Resolution urging the Information Services Division of the Controller's Office to list the title of all of the Legislation Introduced at the Board of Supervisors, at it's World Wide Webb site at :<http://www.ci.sf.ca.us/bdsupvrs/>. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 054-97-006.

Referred to Committee

[Sublease Agreement-Treasure Island]

Resolution approving and authorizing an agreement by and between the City and County of San Francisco and Off-Duty Productions for the sublease of Building 2 on Naval Station Treasure Island. Mayor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 065-97-010.

[Grant, State Funds]

Resolution authorizing the Director of Public Works to execute documents necessary to apply for

retroactively, accept and expend \$50,000 of the California Integrated Waste Management Board's Rubberized Asphalt Concrete Grant Program with required matching funds of \$50,000 for a public works project and placing \$100,000 on reserve. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 148-97-003.

[South of Market Redevelopment Project Area]

Resolution confirming the election of members to the Project Area Committee for the South of Market Redevelopment Project Area. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 161-97-003.01.

[Funding Juneteenth Festival]

Resolution urging the Mayor to urge the Redevelopment Agency Commission to assign up to \$50,000 of the Redevelopment Agency budget for the funding of the 1997 Juneteenth Festival. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 161-97-005.

[Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$26,000,000 City and County of San Francisco General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1997A and not to exceed \$22,050,000 City and County of San Francisco General Obligation Bonds (School District Facilities Improvements, 1994), Series 1997B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of funds related thereto; approving the forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of official notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. Mayor Brown presented. Referred to Finance Committee with request it be considered at the May 21, 1997 meeting.

File 170-97-003.

[City-Wide Graffiti Abatement Program]

Resolution urging the Department of Public Works to establish a city-wide Graffiti Abatement Program and urging the Probation Department to require adults convicted for defacing property, as part of their probation, to perform community service by participating in the Graffiti Abatement Program through community service. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 200-97-006.

[Compliance With Rule 1116]

Resolution urging the Bay Area Air Quality Management District to work with dry cleaners effected by Rule 1116, and extend the time period for compliance with the regulation. Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 229-97-001.01.

[Killing of Kuanchung Kao]

Resolution conveying condolences to the family of Mr. Kuanchung Kao and respectfully requesting the Board of Supervisors of Sonoma County and the Attorney General of the U.S. Department of Justice to conduct a full investigation of the killing of Mr. Kuanchung Kao and directing the Clerk to send a copy of this resolution to the Sonoma County Board of Supervisors, the Association of Bay Area Governments and the Attorney General of the U.S. Department of Justice. Supervisors Teng, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 19, 1997.

File 252-97-001.

Requests for Hearings:

[Muni Employment Process]

Hearing to consider the circumstances that allowed a Muni driver convicted of a crime related to the Muni system to be re-hired, and procedures related to employee background checks. Supervisor Katz

presented. Referred to Economic Development, Transportation and Technology Committee.

File 007-97-010.

[Cellular Phone Radiation]

Hearing to consider evidence that cellular phone radiation can promote the growth of cancer in laboratory animals. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 030-97-008.

[Diesel Fumes]

Hearing to consider reports that diesel exhaust causes lung cancer and to consider tightening already stringent regulations on diesel-powered engines. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 030-97-009.

[Evictions]

Hearing to consider the evictions at 2170 Harrison Street. Supervisors Ammiano, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 109-97-001.

[Industrial Zone Planning Process]

Hearing to consider the status of the North East Mission Industrial Zone Planning Process and plans for implementation. Supervisors Medina, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 189-97-002.

[Gas Prices]

Hearing to consider the high gas prices in San Francisco and requesting the City Attorney to look into and report on the legal implications on zone pricing in San Francisco. Supervisors Yaki, Leal, Katz, Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 253-97-001.

Presentation to Board

[Welfare Reform Task Force Presentation]

Presentation by the Mayor and the Mayor's Welfare Reform Task Force's Co-chairs to the Board of Supervisors. Mayor Brown presented. Presentation scheduled before the Board of Supervisors on Monday, May 19, 1997 at 2:00 p.m.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-044. [Stephina Waldon v. CCSF, et al.] Ordinance authorizing offer of compromise pursuant to California Code of Civil Procedure Section 998 in the litigation of Stephina Waldon v. City and County of San Francisco, in the amount of \$50,000 plus attorney's fees to date which shall be mediated and which shall not exceed \$30,000. (Superior Court No. 980-230). (City Attorney) Referred to Rules Committee.

File 045-97-046. [Slawomir Wymiarkiewicz v. CCSF] Ordinance authorizing settlement of litigation of Slawomir Wymiarkiewicz against the City and County of San Francisco by payment of \$195,000. (U.S.D.C. Case No. C95-03644 CW). (City Attorney) Referred to Rules Committee.

File 045-97-047. [Mario Marcckewordt v. CCSF, et al.] Ordinance authorizing settlement of litigation of Mario Marcckewordt against the City and County of San Francisco by payment of \$12,000. (Superior Court No. 970-675). (City Attorney) Referred to Rules Committee.

File 097-97-028. [Conflict of Interest Code, Health Authority] Ordinance amending Administrative Code by adding Section 58.218, to specify financial disclosure requirements for members and employees of the San Francisco Health Authority. (S. F. Health Authority) Referred to Rules Committee.

File 101-96-075. [Appropriation, Human Rights Commission] Ordinance appropriating \$151,876, Human Rights Commission, from the General Fund Reserve for professional services to conduct a disparity study of minority and women business utilization in fiscal year 1996-97. RO #96316. (Controller) Referred to Finance Committee.

File 101-96-076. [Appropriation, City Attorney] Ordinance appropriating \$943,100, City Attorney, of Correctional Facilities Improvement Funds (revenue from a settlement), to salaries, fringe benefits and litigation costs to defend the City against a claim concerning the new Sheriff's facility for fiscal year 1996-97. RO #96313. (Controller) Referred to Finance Committee.

File 101-96-077. [Appropriation, Municipal Railway] Ordinance appropriating \$3,367,529, Municipal Railway, of Municipal Railway Operating Funds (fare, toll and subvention revenue), to fund a projected shortfall in Workers' Compensation for fiscal year 1996-97. RO #96311. (Controller) Referred to Finance Committee.

File 101-96-078. [Appropriation, Police Department] Ordinance appropriating \$660,903, \$127,519 from General Fund Revenue, and \$533,384 from interest earned on 1987 Police Facilities Improvement Bonds, to capital improvement project to allow the Police Department to complete construction of the Mission, Taraval and Park Stations for fiscal year 1996-97. RO #96305. (Controller) Referred to Finance Committee.

File 101-96-079. [Appropriation, Public Utilities Commission] Ordinance appropriating \$1,800,000, Public Utilities Commission, of 1998B Clean Water Sewer Revenue Bond proceeds to a capital improvement project for the redesign of the Recycled Water Master Plan (Phase 1) for fiscal year 1996-97. RO #96302. (Controller) Referred to Finance Committee.

File 101-96-080. [Appropriation, DA/Juvenile Probation/DPT/DHR] Ordinance appropriating \$1,538,222, from the General Fund Reserve to Workers' Compensation and professional services, to address projected budget shortfalls at the District Attorney, Juvenile Probation, Parking and Traffic, and Human Resources departments for fiscal year 1996-97. RO #96301. (Controller) Referred to Finance Committee.

File 101-96-081. [Appropriation, Sheriff's Department] Ordinance appropriating \$1,195,000, Sheriff's Department, from the General Fund Reserve for salaries, fringe benefits, professional services and services of other departments for the creation of one (1) position for preplanning costs related to the replacement of County Jail Number Three for fiscal year 1996-97; companion measure to File 102-96-17. RO #96310. (Controller) Referred to Finance Committee.

File 101-96-082. [Appropriation, Dept of Building Inspection] Ordinance appropriating \$546,000, Department of Building Inspection, from the Building Inspection Fund for salaries, fringe benefits, facilities maintenance, materials and supplies and equipment for the creation of ten (10) positions to improve permitting services and transmit plans electronically to Planning Department for fiscal year 1996-97; companion measure to File 102-96-18. RO #96312. (Controller) Referred to Finance Committee.

File 101-96-083. [Appropriation, Port Commission] Ordinance appropriating \$7,550,000, Port Commission, of San Francisco Harbor Operating Fund Loan Revenue, to capital improvement project for relocation of the maintenance facility for fiscal year 1996-97; companion measure to Files 101-96-84 and 173-97-3. RO #96314. (Controller) Referred to Finance Committee with request it be considered at the May 21, 1997 meeting.

File 101-96-084. [Appropriation, Port Commission] Ordinance appropriating \$477,000, Port Commission, of San Francisco Harbor Operating Funds, to a capital improvement project to relocate tenants from Pier 46 for fiscal year 1996-97; companion measure to Files 101-96-83 and 173-97-3. RO #96315. (Controller) Referred to Finance Committee with request it be considered at the May 21, 1997 meeting.

File 101-96-085. [Appropriation, DPH-Community Health Services] Ordinance appropriating \$162,300, Department of Public Health-Community Health Services, of Medi-Cal Family Planning Revenue to salaries, fringe benefits, travel, training, medical and other current services for the Health Access Program (HAP), for fiscal year 1996-97. RO #96299. (Controller) Referred to Finance Committee.

File 102-96-017. [Salary Ordinance Amendment, Sheriff's Department] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97), Sheriff's Department, reflecting the creation of one (1) position (Class 1370 Special Assistant XI); companion measure to File 101-96-81. (Department of Human Resources) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 010-97-006. [Encroachment Permit, Ecker Street/Elm Alley] Resolution granting revocable permission to Golden Gate University to install three (3) four-inch conduits for telecommunication purposes under Ecker Street and Elm Alley between the Golden Gate University property at 536 Mission (Block 3708, Lot 13) and at 62 First Street (Block 3708, Lot 6), and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 010-97-007. [Encroachment Permit, Garden/Broderick Streets] Resolution granting revocable permission to M.A. Mortenson Company to temporarily close and occupy the south sidewalk and a portion of the street area on Garden Street and the east sidewalk and a portion of the street area on Broderick Street between Geary Boulevard and Garden Street and between Garden Street and Post Street during construction operations for the Kaiser Foundation Health Plan Medical Offices at 2290 Geary Boulevard. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 030-97-007. [S.F. DPH-Mental Health Plan] Resolution authorizing the Department of Public Health Division of Mental Health, to assume responsibility for Medi-Cal authorization and payment of



State/local match for all medically necessary mental health services for San Francisco Medi-Cal beneficiaries. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 047-96-003.01. [Portsmouth Square Parking Garage] Resolution approving insertion into the Board of Supervisors file, file number 47-96-3, a corrected second amendment to the Portsmouth Square Public Parking Lease between the City and County of San Francisco and the San Francisco Portsmouth Plaza Parking Corporation, which replaces the incorrect version submitted through clerical error. (Recreation and Park Department) Referred to Finance Committee.

File 048-97-037. [Settlement of Claim, Margarita Nosach] Resolution approving the settlement of the unlitigated claim of Margarita Nosach by payment of \$20,000. (City Attorney) Referred to Rules Committee.

File 064-97-007. [Lease of Property at 680 Eighth Street] Resolution authorizing a lease of real property at 680 Eighth Street, San Francisco, for the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 065-97-009. [Amendment to Sony Scoreboard Agreement] Resolution approving a third amendment to the agreement to furnish a scoreboard and other related services, which provide for the installation of exterior marquees and parking lot displays as well as clarification of certain financial terms in the original agreement. (See File 65-94-5) (Recreation and Park Department) Referred to Finance Committee.

File 084-97-003. [Purchase of 2789 25th Street Property] Resolution authorizing the exercise of the purchase option in the lease between the City and County of San Francisco ("City"), as lessee, and Plant Properties, Inc., as lessor, for the real property and building located at 2789 25th Street (The "Property"); authorizing the officers of the City to enter into documents to implement said purchase; approving a facilities lease related to financing the acquisition of the property (including certain indemnities contained therein); approving a Trust Agreement between the City and a Bond Trustee (including certain indemnities contained therein); authorizing the selection of a Bond Trustee; approving the execution and delivery of Certificates of Participation to finance the acquisition of the property; authorizing the offer and sale of the certificates; approving the form of Official Notice of Sale, Notice of Intention to Sell, and Official Statement; approving the form of Continuing Disclosure Certificate relating to the certificates; authorizing the obtaining of credit enhancement for the certificates; adopting findings under the California Environmental Quality Act and findings pursuant to Planning Code Section 101.1; approving the validation of this transaction; and ratifying previous actions taken in connection therewith. (Office of the Mayor) Referred to Finance Committee.

File 096-97-003. [Sale of Surplus Property] Resolution authorizing the sale of 3,014 square feet of land of Water Department surplus real property located in Sunol, Alameda County to the State of California for \$2,500. (Real Estate Department) Referred to Finance Committee.

File 168-97-001. [Park and Open Space Fund, 1997-98] Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1997-1998, reserving approval or disapproval on specific acquisitions; companion measure to File 271-97-4. (Recreation and Park Department) Referred to Finance Committee.

File 172-96-001.01. [Amendment, Medical Services Agreement] Resolution authorizing the Director of Public Health to execute an

amendment to the existing Hospital Commercial Services Risk Agreement between Pacificare of California and the Department of Public Health for the provision of hospital services to Pacificare subscribers. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-026. [State Child Care Contract] Resolution authorizing retroactively the execution of a contract between the City and County of San Francisco and the State of California Department of Education in the amount of \$134,222 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1996-1997. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 173-97-003. [Port Loan Agreement] Resolution approving and authorizing a Limited Subordinate Credit Facility between the Port Commission of the City and County of San Francisco, as borrower, and Canadian Imperial Bank of Commerce, as lender, for a loan of up to \$12,000,000 for a term of 10 years, to finance the Port Maintenance Facility Project and the proposed Caltrans Site Acquisition Project, including a limited indemnity of the Bank under such credit facility; approving and authorizing an interest rate Cap Confirmation Agreement in connection with such credit facility; and ratifying certain prior acts; companion measure to Files 101-96-83 and 101-96-84. (Port Commission) Referred to Finance Committee with request it be considered at the May 21, 1997 meeting.

File 198-97-001. [Grant, Child Support Enforcement Program] Resolution authorizing the Coordinated Court of the City and County of San Francisco to apply for, accept and expend grant funding in the amount of \$54,450 from the Judicial Council of California to underwrite the cost of Title IV-D Child Support Enforcement Program for the month of June, 1997. (Superior Court) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Medina, that letter be sent to the Director of Public Works requesting a progress report on the Graffiti Abatement Program.

By Supervisors Katz, and Bierman that letter be sent to the Director of Public Works and the Chief of Police inquiring as to what steps can be taken to improve the conditions at Halladie Plaza.

By Supervisors Katz, and Bierman that letter be sent to the Director of Planning inquiring as to what steps the local merchants can take to place signs identifying their businesses that can be seen when trees block their present signage.

By Supervisor Yaki, that City Attorney look into and report on the legal implications of zone pricing of gas in San Francisco.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Captain Thomas Joseph Petrini (By the entire Board)  
Philip J. Siggins (Supervisors Newsom, Leal, Bierman)  
Ms. Francine Kunev (By the entire Board)  
Mrs. Helen Riedel (Supervisor Kaufman)  
Mr. Kuanchung Kao (Supervisor Teng)

File 2-97-17

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:14 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 4, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



SF  
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#72  
5/19/97

Monday, May 19, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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Volume 92

Number 20



JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 19, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Brown, Kaufman, Leal, Medina, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Ammiano, Katz, Newsom - 3.

Quorum present.

Supervisor Ammiano excused, (See infra.)

Supervisor Katz was noted present at 2:07 p.m.

Supervisor Newsom was noted present at 2:05 p.m.

Supervisor Ammiano Excused

The Clerk stated Supervisor Ammiano requested to be excused from attending today's meeting.

Supervisor Leal, seconded by Supervisor Yaki, moved to excuse Supervisor Ammiano from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Katz - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, March 17, and March 24, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Katz - 2.

SPECIAL ORDER 2:00 P.M.

Report Received

[Welfare Reform Task Force Presentation]

Presentation by the Mayor and the Mayor's Welfare Reform Task Force's Co-Chairs to the Board of Supervisors.

File 232-97-4

President Kaufman introduced the Honorable Mayor, Willie L. Brown, Jr.

The Mayor addressed the Board of Supervisors briefly and introduced the three co-chairpersons of the Welfare Reform Task Force: Mimi Silbert, Elliott Hoffman, and the Honorable John Dearman. Ms. Silbert reported that 180 Task Force members spent 10,000 hours preparing the report which addresses services for legal immigrants, job creation and training for working poor and welfare recipients as well as other issues. (The written report is on file with the Clerk of the Board of Supervisors.)

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Leal requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Finally Passed

[Appropriation, DPH-Mental Health]  
Ordinance appropriating \$361,154, Department of Public Health/Mental Health/Community Substance Abuse Service Division, to fund various substance abuse services (\$130,385 from General Fund Reserve and \$230,769 from SAMHSA Block Grant); placing \$230,769 on reserve; for fiscal year 1996-97. (Supervisor Leal)

File 101-96-65.1, Ordinance No.

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[City Hall Improvement Project Funding]  
Ordinance authorizing the Department of Public Works to retroactively contract for Proposition A - City Hall Improvement Bond Project work by modifying the contract of the general contractor on the City Hall Seismic Project. (Department of Public Works)

File 172-97-23, Ordinance No.

(Fiscal Impact.)

Finally passed.

Passed for Second Reading

[Appropriation, District Attorney]  
Ordinance appropriating \$55,000, District Attorney's Office, from the General Fund Reserve for litigation expenses (investigative services and witness support) for fiscal year 1996-97. (Controller)

File 101-96-68, Ordinance No.

Passed for second reading.

[Appropriation, Juvenile Probation]  
Ordinance appropriating \$472,209, Juvenile Probation, of State Revenue for salaries, materials and supplies, other current expenses, equipment and facilities maintenance (Log Cabin Ranch) for fiscal year 1996-97; placing \$118,222 on reserve. (Controller)

File 101-96-69, Ordinance No.

Passed for second reading.

[Appropriation, Public Defender's Office]  
Ordinance appropriating \$140,000, Public Defender's Office, of Court Fee Revenue to salaries and fringe benefits to address the projected budget shortfall for fiscal year 1996-97. (Controller)

File 101-96-70, Ordinance No.

Passed for second reading.

[Appropriation, Mayor's Office]

Ordinance appropriating \$66,000, Mayor's Office, from the General Fund Reserve to security services in fiscal year 1996-97, to reimburse the Community United Against Violence (CUAV), for costs associated with a 1996 halloween event; providing for ratification of action previously taken. (Controller)

File 101-96-72, Ordinance No.

Passed for second reading.

Recommendations of Health, Family and Environment Committee

Adopted

[Private Grant, Primary Health Care Services]

Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend a grant in the amount of \$63,685 from Lutheran Social Services of America to provide preventative and primary health care services to multiple-diagnosed persons with HIV/AIDS of San Francisco who previously have not been able to access current systems of housing and supportive services due to their mental illness and/or substance abuse diagnosis; providing for ratification of action previously taken. (Department of Public Health)

File 146-97-7, Resolution No.

Adopted.

[Private Grant, Substance Abuse Prevention Project]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, Child, Adolescent and Family Section, as sub-grantee, in collaboration with the San Francisco Economic Opportunity Council as prime grantee, to apply for retroactively and accept and expend a grant of \$45,000 from the San Francisco Economic Opportunity Council to provide a substance abuse prevention and intervention project to high risk preschoolers and their families, waiving indirect costs. (Department of Public Health)

File 146-97-8, Resolution No.

Adopted.

[Grant, State Department of Rehabilitation]

Resolution authorizing the Department of Public Health, Division of Community Mental Health Services, to accept and expend a grant in the amount of \$228,961 from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally-ill psychiatric clients, waiving indirect costs. (Department of Public Health)

File 146-97-10, Resolution No.

Adopted.

[Amended State Hold Harmless Medi-Cal Agreement]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to enter into an amended hold harmless Medi-Cal agreement retroactive to July 1, 1995 for the term July 1, 1995 through June 30, 1996 with the State of California, Department of Alcohol and Drug Programs in the amended amount of \$5,393,947 as a condition of receiving State Medi-Cal funds for substance abuse treatment, authorizing and designating the Director of Community Substance Abuse Services to sign said document. (Department of Public Health)

File 172-97-22, Resolution No.

Adopted.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Sidewalk Width Regulations, Ocean Avenue]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1540 changing the official sidewalk width on a portion of the north side of Ocean Avenue easterly of Dorado Terrace and Jules Avenue, as shown on the Department of Public Works drawing labeled Q-20-475 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-5, Ordinance No.

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Katz - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

(Supervisor Kaufman dissenting in Committee.)

[MOU, Building Inspectors 6331/6333]

Ordinance implementing the provisions of a Memorandum of Understanding between the Building Inspectors Association and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-11, Ordinance No.

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Ammiano - 1.

(Supervisor Kaufman dissenting in Committee.)

[MOU, Building Inspectors 6334]

Ordinance implementing the provisions of a Memorandum of Understanding between the Building Inspectors Association and the City and County for 6334 Chief Building Inspectors for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-12, Ordinance No.

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Ammiano - 1.

Recommendations of Health, Family and Environment Committee

Passed for Second Reading as Amended

[Nondiscrimination, Contract, Property Contract]

Ordinance amending Administrative Code, to update and simplify provisions; to conform language to historical interpretations; to prohibit discrimination by city contractors based on the perception of a person's status within a category against which discrimination is prohibited and based on fact or perception of a person's domestic partner status or marital status; to apply Chapters 12B and 12C's nondiscrimination requirements to property contracts, as defined, including property contracts granting a property interest to the City; to define "contracts" and "property contracts" that are subject to Chapters 12B and 12C; to define "amendment" of a contract to include substantive amendments and to exclude construction change orders; to clarify the application of Section 12B.2(B) to a prime contractor's or subcontractor's operations throughout the United States; to require city contractors to treat requests for domestic partner or spousal benefits as confidential; and to provide certain exceptions to Chapters 12B and 12C in Sections 12B.5-1 and 12C.5-1. (Supervisors Katz, Ammiano, Leal, Bierman)

File 97-97-21, Ordinance No.

(Amends Chapters 12B and 12C.)

(May 12, 1997 - Consideration continued to May 19, 1997.)

Supervisor Katz, seconded by Supervisor Leal, moved to amend pages 11 and 12, starting at line 21, to read: "in any of its operations in San Francisco or where the work is being performed for San Francisco or elsewhere within the United States, discriminate in the provision of bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel benefits as well as any benefits other than bereavement leave, family medical leave, health benefits, membership or membership discounts, moving expenses, pension and retirement benefits or travel"

Motion to amend adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

#### NEW BUSINESS

#### Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Public Library]

Ordinance appropriating \$1,583,586, Public Library, of 1988 Public Library Improvement Bond interest earnings to capital improvement projects (construction contingency), for fiscal year 1996-97; providing for ratification of action previously taken; and placing \$300,000 on reserve. (Controller)

File 101-96-64, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

[Appropriation, Public Library]

Ordinance appropriating \$399,660, Public Library, of 1988 Public Library Improvement Bond interest earnings to capital improvement projects (construction contingency), for fiscal year 1996-97, providing for ratification of action previously taken. (Controller)

File 101-96-74, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

[Appropriation, DPH-Mental Health]

Ordinance appropriating \$400,000, Department of Public Health-Mental Health, of State Revenue for other medical services, to provide additional children and youth crises services in fiscal year 1996-97; placing \$225,995 on reserve. (Supervisor Leal)

File 101-96-73, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

Referred to Committee

[MEA Arbitration Award]

Ordinance adopting and implementing the provisions of an arbitrator's award dated March 31, 1997 setting the compensation of classifications represented by the Municipal Executives Association for Bargaining Units M and EM for the period July 1, 1996 through June 30, 1998. (Department of Human Resources)

File 93-97-35, Ordinance No.

Supervisor Leal, seconded by Supervisor Brown, moved to rerefer to Committee.

Motion to rerefer to Finance Committee adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

Passed for Second Reading

[General Assistance Grants]

Ordinance amending Administrative Code, relating to the automatic cost of living adjustment (COLA) of general assistance grants (suspends the COLA for fiscal year 1997-98). (Mayor Willie L. Brown, Jr.)

File 97-97-20, Ordinance No.

(Fiscal Impact.)

(Amends Section 20.57.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

Adopted

[Prop J Contract, Parking Meter Collection Services]

Resolution concurring with the Controller's certification that parking meter revenue collection services continue to be performed by a private contractor for a lower cost than the same services performed by civil service appointment. (Department of Parking and Traffic)

File 25-97-7, Resolution No.

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Kaufman - 2.

[Purchase of 2789 25th Street Property]

Resolution authorizing the exercise of the purchase option in the lease between the City and County ("City"), as lessee, and Plant Properties, Inc., as lessor, for the real property and building located at 2789 25th Street (The "Property") for use by the fire/paramedic dispatch function; authorizing the officers of the City to enter into documents to implement said purchase; approving a facilities lease related to financing the acquisition of the property (including certain indemnities contained therein); approving a trust agreement between the City and a bond trustee (including certain indemnities contained therein); authorizing the selection of a bond trustee; approving the execution and delivery of certificates of participation to finance the acquisition of the property; authorizing the offer and sale of the certificates; approving the form of official notice of sale, notice of intention to sell, and official statement; approving the form of continuing disclosure certificate relating to the certificates; authorizing the obtaining of credit enhancement for the certificates; adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1; approving the validation of this transaction; and ratifying previous actions taken in connection therewith. (Mayor)

File 84-97-3, Resolution No.



Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisor Yee - 1.

Absent: Supervisors Ammiano, Kaufman - 2.

Recommendations of Health, Family and Environment Committee

Passed for Second Reading

[Immigrant Rights Commission]

Ordinance amending Administrative Code, establishing the Immigrant Rights Commission. (Supervisors Teng, Katz, Bierman, Yee, Brown, Medina)

File 97-96-64, Ordinance No.

(Adds Article XXI, Section 5.201.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Ammiano, Kaufman, Medina - 3.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Minority/Women/Local Business Enterprise Program]

Ordinance amending Administrative Code, to set forth findings supporting six month extension of MBE/WBE/LBE Ordinance - III and providing for the six month extension. (Supervisors Katz, Leal, Bierman, Yee, Brown, Medina, Teng)

File 284-97-1, Ordinance No.

(Adds Section 12D.2-2;

Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Ammiano, Kaufman, Medina - 3.

In connection with the above item, Supervisors Brown, Medina, Teng requested to be added as co-sponsors.

The President resumed the Chair.

Adopted

[State Grant, Handicapped Transportation Services]

Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to apply for retroactively and accept and expend a grant in the amount of \$44,800, from the State of California, Department of Transportation (CALTRANS), for handicapped transportation services; providing for ratification of action previously taken and waiving indirect costs. (Supervisors Leal, Brown, Medina, Teng)

File 146-97-11, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

In connection with the above item, Supervisors Brown, Medina, Teng requested to be added as co-sponsors.

[Federal Grant, Housing and Supportive Services]

Resolution authorizing the Department of Public Health, Mental Health Services, to apply for retroactively and accept and expend a grant in the amount of \$316,776, from the Federal Department of Housing and Urban Development for supportive services and housing to mentally disabled clients; providing for ratification of action previously taken. (Supervisors Leal, Brown, Teng)

File 146-97-12, Resolution No.

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

In connection with the above item, Supervisors Brown, Teng requested to be added as co-sponsors.

[Federal Grant, Housing and Supportive Services]

Resolution authorizing the Department of Public Health, Mental Health Services, to apply for retroactively and accept and expend a grant in the amount of \$503,717 from the Federal Department of Housing and Urban Development for supportive services and housing to mentally disabled clients; providing for ratification of action previously taken; placing \$42,905 on reserve. (Supervisors Leal, Brown, Teng)

File 146-97-13, Resolution No.

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

In connection with the above item, Supervisors Brown, Teng requested to be added as co-sponsors.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) San Francisco v. Bank of America, S.F. Superior Court No. 968-484; (2) Air Transport Association of America and Airline Industrial Relations Conference v. San Francisco, U.S. District Court No. C97-1763PJH; and (3) Carpenter v. San Francisco, U.S. District Court No. C-90-1836 MMC, as permitted by Government Code Section 54956.9(a).

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

Recess

The Board recessed at the hour of 3:29 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:40 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent:

Supervisor Ammiano - 1.

Quorum present.

Supervisor Ammiano was excused. (See supra.)

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) San Francisco v. Bank of America, S.F. Superior Court No. 968-484; (2) Air Transport Association of America and Airline Industrial Relations Conference v. San Francisco, U.S. District Court No. C97-1763PJH; and (3) Carpenter v. San Francisco, U.S. District Court No. C-90-1836 MMC, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the litigation listed above.

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing appealing decision of Planning Commission by its Motion No. 14336, dated March 20, 1997, approving Conditional Use Application No. 96.723C, for conditional use authorization for the subdivision of one lot into two new lots both of which would have fewer than 25 feet of width, and the construction of a one-family dwelling on each, in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District on property located at 1261V DeHaro Street, east side between 23rd and 24th Streets; Lot 43 in Assessor's Block 4218.

File 37-97-2

(Appeal filed April 21, 1997.)

(Categorically exempt from environmental review pursuant to Sections 15303(a) and 15315 of the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act.)

(Pursuant to Government Code Section 65009, the notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308; San Francisco, CA 94102.) at, or prior to, the public hearing.)

The following persons were sworn in and granted privilege of the floor:

Appellants: John J. Davis, Jr., Marta Gasinska, Karen Salinger, George Portugal, Laura Parker.

Respondents: Gerald Green, representing City Planning Commission and the Planning Department; Dennis Francis, Patrick McManus.

A rebuttal period was allowed.

The President then declared the hearing closed.

(Only one of the following two motions should be adopted.)

Adopted

[Zoning Appeal]

Motion approving decision of the Planning Commission by its Motion No. 14336, approving Conditional Use Application No. 96.723C, on property located at 1261V DeHaro Street, east side between 23rd and 24th Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-2.1

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Bierman, Medina - 2.

Absent: Supervisor Ammiano - 1.

Tabled

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14336, approving Conditional Use Application No. 96.723C, on property located at 1261V DeHaro Street, east side between 23rd and 24th Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 37-97-2.2

Supervisor Teng, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 96.723C, on property located at 1261V De Haro Street, east side between 23rd and 24th Streets, for action by the Board at its next meeting.

File 37-97-2.3

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Appointment, Ethics Commission]

Resolution appointing member to the Ethics Commission, for unexpired portion of four-year term ending June 8, 1998. (Supervisor Kaufman)

File 92-97-18, Resolution No.

(Isabella Horton Grant, vice Virginia Gee, Seat No. 27701, general public.)

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Ammiano - 1.

[Appointment, Federal Legislative Representative]  
Resolution ratifying the appointment of Marc Associates, Inc., as a Federal Legislative Representative for the City and County of San Francisco. (Supervisor Leal)

File 33-97-3, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

[Off Site Meeting]

Motion ordering the June 1997 meeting of the Housing and Neighborhood Services Committee of the San Francisco Board of Supervisors to be held on June 12, 1997, 5:30 p.m., at the Everett Middle School Auditorium, 450 Church Street. (Supervisor Medina)

File 54-97-4

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Ammiano - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Laylani Wong, hate crimes; Frederick Hobson, compensation of management employees; Rodney, needle exchange; Roy Peters, work fair program.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Federal Regulation]

Resolution opposing lifting restrictions on Mexican trucks entering California. (Supervisors Leal, Brown, Medina, Teng, Bierman)

File 13-97-17, Resolution No.

(May 12, 1997 - Consideration continued to May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Teng, Bierman requested to be added as co-sponsors.

[Commending Muni Bus Drivers]

Resolution commending the Muni bus drivers: Jovencio Rendon, Johnny Cannon, Edward Hamilton and Eugene Irby who were acknowledged by the Senior Action for their outstanding level of courtesy, safety and general excellence. (Supervisors Newsom, Kaufman, Bierman, Brown, Katz, Medina, Teng)

File 6-97-86, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina, Teng requested to be added as co-sponsors.

[Commending Shao Kuang Ting]

Resolution commending Mr. Shao Kuang Ting for his outstanding artistic achievement. (Supervisors Teng, Yaki, Bierman, Brown, Katz, Medina)

File 6-97-87, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina requested to be added as co-sponsors.

[Commending Chinatown American Cooks School]

Resolution commending the Chinatown American Cooks School in their efforts to provide vocational training to the San Francisco and Bay Area communities declaring June 6, 1997 as "The Chinatown American Cooks School Day" in San Francisco. (Supervisors Teng, Yaki, Bierman, Kaufman, Brown, Katz, Medina)

File 6-97-88, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina requested to be added as co-sponsors.

[Council of District Merchants Association]

Resolution commending the San Francisco Council of District Merchants Association on their Annual Awards Dinner on May 16, 1997. (Supervisors Teng, Kaufman, Brown, Medina, Bierman)

File 6-97-89, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Bierman requested to be added as co-sponsors.

[Commending Citizens Ambassadors Conference]

Resolution commending the Citizens Ambassadors Conference which will commemorate the 40th Anniversary of the San Francisco-Osaka Sister City relationship. (Supervisors Yaki, Teng, Katz, Bierman, Brown, Medina)

File 6-97-90, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Marijuana Flower Therapy Raid]

Resolution urging the U.S. Attorney, Michael Yamaguchi not to proceed with the prosecution of the individuals connected with the flower therapy raid; furthermore, urging the U.S. Attorney to respect the will of the voters, who passed overwhelmingly Proposition 215, which legalized the compassionate use of marijuana. (Supervisors Brown, Katz, Medina, Teng)

File 13-97-18, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina, Teng requested to be added as co-sponsors.

[Elderly Legal Immigrants]

Resolution declaring support for Senator Dianne Feinstein's SSI Bill, co-sponsored by Senator John Chafee, S. 615, which would allow all legal immigrants who were collecting SSI as of August 22, 1996 to continue on the program, and would continue eligibility for all refugees who were in the country as of that date, furthermore, urging the Federal Lobbyist to strongly advocate for S. 615 in the White House, as well as with both House and Senate Republican and Democratic leadership to emphasize the necessity of continuing SSI for elderly legal immigrants who will be cut off from SSI as of August 22, 1997. (Supervisors Ammiano, Bierman, Kaufman, Brown, Katz, Teng)

File 13-97-20, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Teng requested to be added as co-sponsors.

[Policy-Discharge of Employee Convicted of Felony]

Resolution urging the Mayor, the City Attorney, Muni Management and the Transportation Workers Union to work with pride at work at Local 790, to draft an ordinance that establishes a policy that any city employee who is convicted of committing a felony hate crime cannot remain a city employee. (Supervisors Ammiano, Bierman, Brown, Katz, Medina)

File 43-97-2, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina requested to be added as co-sponsors.

[Legislation Introduced on the Internet]

Resolution urging the Information Services Division of the Controller's Office to list the title of all of the Legislation Introduced at the Board of Supervisors, at its World Wide Web site at :<http://www.ci.sf.ca.us/bdsupvrs/>. (Supervisors Newsom, Brown, Katz, Medina)

File 54-97-6, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina requested to be added as co-sponsors.

[Funding Juneteenth Festival]

Resolution urging the Mayor to urge the Redevelopment Agency Commission to assign up to \$50,000 of the Redevelopment Agency budget for the funding of the 1997 Juneteenth Festival. (Supervisors Brown, Katz, Bierman)

File 161-97-5, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Bierman requested to be added as co-sponsors.

[Killing of Kuanchung Kao]

Resolution conveying condolences to the family of Mr. Kuanchung Kao and respectfully requesting the Board of Supervisors of Sonoma County and the Attorney General of the U.S. Department of Justice to conduct a full investigation of the killing of Mr. Kuanchung Kao and directing the Clerk to send a copy of this resolution to the Sonoma County Board of Supervisors, the Association of Bay Area Governments and the Attorney General of the U.S. Department of Justice. (Supervisors Teng, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee)

File 252-97-1, Resolution No.

(May 12, 1997 - Introduced in Board for consideration on May 19, 1997.)

Adopted.

[Final Map]

Motion approving final map of 3183-3193 California Street, a Residential Condominium Project, being a subdivision of Lot 24 in Assessor's Block 1031, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works, Supervisor Medina)

File 58-97-9

(May 12, 1997 - Referred to Board for consideration on May 19, 1997.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Medina, Yaki, Yee - 6.

Absent: Supervisors Ammiano, Katz, Leal, Newsom, Teng - 5.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Yaki, Yee - 7.

Absent: Supervisors Ammiano, Katz, Newsom, Teng - 4.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Yaki, Yee - 7.

Absent: Supervisors Ammiano, Katz, Newsom, Teng - 4.

#### [Imperative Resolutions]

Adopted

[Commending Dr. John Paul De Cecco]

Resolution commending Dr. John Paul De Cecco, and declaring May 21, 1997 "Dr. John Paul De Cecco" Day in San Francisco.

File 006-97-097.

Supervisors Katz, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Yaki, Yee - 7.

Absent: Supervisors Ammiano, Katz, Newsom, Teng - 4.

[Commending Mission Art Crawl]

Resolution commending the organizers and participants of the 1st Annual Mission Art Crawl and proclaiming May 21, 1997 "Mission Art Crawl Day."

File 006-97-098, Resolution No.

Supervisors Medina, Leal, Katz presented for immediate adoption.



Resolution adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Leal, Medina, Yaki, Yee - 7.

Absent: Supervisors Ammiano, Katz, Newsom, Teng - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Department of Public Health]  
Ordinance appropriating \$35,000, Department of Public Health, from the General Fund Reserve for medical services to provide HIV testing services at City College in fiscal year 1996-97. Supervisor Ammiano presented. Referred to Finance Committee.

File 101-96-087.

[Tour Bus Prohibition on 15th Avenue]  
Ordinance amending Ordinance Nos. 115-96 and 282-96, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio, to provide that this prohibition on tour buses shall expire on October 31, 1997, rather than June 30, 1997. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 121-97-003.

[Tour Bus Prohibition on 25th Avenue]  
Ordinance amending Ordinance Nos. 88-96 and 281-96, which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar, to provide that this prohibition on tour buses shall expire on October 31, 1997, rather than June 30, 1997. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 121-97-004.

Referred to Board

[Commending Crystal Cruises]  
Resolution designating May 29, 1997 as "Crystal Cruises Day" in San Francisco and commending Crystal Cruises for their contributions to the Port of San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-091.

[Recognizing Kops and Kids Day]  
Resolution recognizing the Seventh Annual "Kops and Kids Day" in Daly City and commending the participants for their commitment to public safety. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-092.

[Russian-American Day] Resolution designating June 1, 1997 as "Russian-American Day" in San Francisco and commending the participating organizations for their continued dedication to charitable, cultural, and educational services and for their contributions to the City and County of San Francisco. Supervisors Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-093.

[Stand For Children Weekend]  
Resolution designating the weekend of May 31 and June 1, 1997 as "Stand For Children Weekend" in San Francisco and commending all those in our community who work as advocates for children. Supervisors Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-094.

[Commending National Center For Lesbian Rights]

Resolution commending the National Center for Lesbian Rights for its achievements in promoting the civil and human rights of lesbians on the occasion of its 20th Anniversary and proclaiming Saturday, May 31, 1997 "National Center For Lesbian Rights Day" in the City and County of San Francisco. Supervisors Leal, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-095.

[Commending Mission Housing Development Corp.]

Resolution commending the efforts of the Mission Housing Development Corporation and the Mission District community members to develop a conceptual plan for the improvement of the Mission Corridor BART Plazas. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-096.

[Commending National Public Works Week]

Resolution commending the Department of Public Works and declaring May 25th through May 31st, 1997 as "Public Works Week" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-099.

[Commending Robert Hogan]

Resolution commending Robert Hogan. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-100.

[Commending Cynthia Hart]

Resolution commending Cynthia Hart. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-101.

[Welcoming Rugby Players]

Resolution welcoming all USA and International Rugby Players to the International Test Series 1997. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 006-97-102.

[Opposing AB 481-Lead Poisoning Prevention]

Resolution declaring the City and County of San Francisco to be officially opposed to AB 481 unless amended to prevent the pre-emption of the 1996 legislation of the City and County of San Francisco to reduce lead hazards in private housing where lead-poisoned children reside and otherwise interfere with other efforts of the City and County of San Francisco to prevent childhood lead poisoning while minimizing negative impacts on housing affordability. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 012-97-022.

[Increase Average Fuel Economy Standards]

Resolution supporting significant increases in Corporate Average Fuel Economy (CAFE) standards. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 013-97-021.

["No Sweatshop Conditions" Policy]

Resolution establishing a "No Sweatshop Conditions" policy statement for the City and County of San Francisco and establishing the criteria for "No Sweatshop Conditions." Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 043-97-003.

[Parking-Noe Valley Commercial District]

Resolution urging the Department of Parking and Traffic to create additional parking in the Noe Valley Commercial District. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 190-97-010.

[Improve Recreation and Park Programs]

Resolution urging the Recreation and Park Department to improve services by establishing a minimum level of service at each facility that is culturally sensitive and linguistically proficient; to establish a Community Advisory Committee at each facility to improve communication between the public and the staff; and to establish multi-service centers that collaborate with San Francisco Unified School District, City departments, local business and the community; to establish a central information referral office to ensure program information reaches every child and family; and to expand the Latch Key and Workrecreation Programs to reduce youths' unproductive time; and to fully comply with the Americans With Disabilities Act. Supervisors Teng, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 193-97-006.

[San Francisco Youth Empowerment Conference]

Resolution endorsing the San Francisco Youth Empowerment Conference and supporting a "Youth Empowerment Agenda" which will provide the youth of San Francisco with opportunities to take leadership in their communities and in city government. Supervisors Newsom, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 215-97-005.

[Endorsing the Sustainability Plan]

Resolution endorsing the Sustainability Plan of San Francisco. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 229-97-002.

[Breaking The Glass Ceiling Report]

Resolution urging the City departments which provide grants and contract funding to non-profit organizations to take corrective actions to address the issue of funding inequity to Asian non-profit organizations, by developing a short-term plan with a timetable and goals to reflect the APA population and need and a long-term 5 year strategic plan to be coordinated by the Mayor's Budget Office; train their staff on the changing demographics of clients they are serving and a training session be provided for all commissioners and appointed officials and such training be coordinated by the Department of Human Services; to pool resources to offer targeted technical assistance to emerging APA populations; to encourage the funding across neighborhoods; to fund mixed population neighborhoods and encourage the funding of multi-cultural and multi-Asian collaborations and to require non-APA community based organizations with large APA populations to show how they are serving APA clients; and to establish an Asian Report Card Task Force to survey the progress of City departments. Supervisor Teng presented. Referred to Health, Family and Environment Committee.

File 254-97-001.

Charter Amendments:

Referred to Committee

[Charter Amendment, Youth Commission]

Charter amendment amending Sections 4.122 through 4.124 to create staggered terms for members, certify removal of members, allow for compensation, amend quorum and voting requirements, give non-exclusive authority to conduct programs related to children and youth, to authorize Commission recommendation of applicants and to delete obsolete material. (First Draft) Supervisor Newsom presented. Referred to Rules Committee.

File 255-97-001.

[Charter Amendment, Contract/Lease Limitations]

Charter Amendment, repealing Section 2.110, governing Board of Supervisors' approval of the sale or lease of real property, and amending Section 9.118, governing the Board of Supervisors' approval of contracts, to incorporate the provisions of former Section 2.110 and add further provisions governing the Board of Supervisors' approval of the sale or lease of real property. (First Draft) Supervisor Kaufman presented. Referred to Rules Committee.

File 256-97-001.

[Charter Amendment, Safety Employees Retirement]

Charter amendment, amending Appendix A8.559-14 and 8.585-14, relating to retirement benefits for safety employees who transferred membership under the retirement system to Sections 8.586 or 8.588 effective July 1, 1980. (First Draft) Supervisor Katz presented. Referred to Rules Committee.

File 257-97-001.

Requests for Hearings:

[Red Light Running]

Hearing to consider all available traffic control options for addressing the red light epidemic in San Francisco and to examine the feasibility and financial impact of adding an additional staff member to manage the red light program. Supervisor Leal presented. Referred to Finance Committee with request it be considered at the May 28, 1997 meeting.

File 190-97-005.

[Juvenile Probation Department's Performance]

Hearing to consider the performance of the San Francisco Juvenile Probation Department and to obtain information regarding the number of children under the Department's jurisdiction annually, the number of probation officers in the department, the number of probation officers speaking Spanish or Chinese, the number of cases each officer handles, the level of coordination between the department and the Police Department and District Attorney, and how the department obtains input from the communities it serves. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 214-97-004.

[Welfare Reform Task Force Report]

Hearing to consider the Mayor's Welfare Reform Task Force Report and Recommendations. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 232-97-004.01.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 27, 1997.

File 030-97-001.09.

[Community Outreach/Constituent Liaison]

Motion directing the Clerk to seek a Supplemental Appropriation and to take other steps necessary to appoint one Community Outreach/Constituent Liaison for each Supervisor. Supervisors Katz, Ammiano, Teng, Yee, Brown presented. Referred to Finance Committee.

File 054-97-007.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-048. [Adele Roberts v. CCSF, et al.] Ordinance authorizing settlement of employment discrimination claim of Adele Roberts against the City and County of San Francisco, Anthony Ribera, Thomas Murphy, Frank Reed, Forrest Fulton and Woodrow Tennant by payment of \$30,832.54. (USDC, Northern District of California No. C94-4153 CAL). (Also see File 45-96-56) (City Attorney) Referred to Rules Committee.

File 093-96-030.01. [Amendment to MOU, Local 911] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the San Francisco Police Officers Association, Local 911, SEIU, AFL-CIO, and the City and County of San Francisco for bargaining units P-1; P-2A and P-2B to be effective for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 097-97-027. [Departmental Revolving Funds] Ordinance amending Administrative Code relating to purposes and amounts authorized for Departmental Revolving Funds, by deleting Sections 10.141, 10.141a, 10.149, 10.167, 10.169-6, 10.169-9, and adding Sections 10.169-12 through 10.169-21. (Controller) Referred to Finance Committee.

File 102-96-018. [Salary Ordinance Amendment, Building Inspection] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97), Building Inspection Department, reflecting the creation of ten (10) positions (Class 1374 Special Assistant XV (1), 1372 Special Assistant XIII (4), AA43 Permit Clerk II (4), 1446 Secretary II (1); companion measure to File 101-96-82. (Department of Human Resources) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 025-97-008. [Prop J Contract, Shuttle Bus Services] Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the first half of the fiscal year commencing July 1, 1997 than if work were performed by City and County employees. (Airport) Referred to Finance Committee.

File 051-96-004.02. [Reimbursement to Employees] Resolution authorizing reimbursement for cost of personal property of the City and County employees damaged/stolen in the line of duty. (One claim in the amount of \$380.00). (Controller) Referred to Rules Committee.

File 112-97-001. [Official Newspaper for Fiscal Year 1997-98] Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for specified categories of official advertising commencing July 1, 1997. (Purchasing Department) Referred to Rules Committee.

File 112-97-002. [Official Newspaper for Fiscal Year 1997-98] Resolution designating an organization to be official newspaper of the City and County of San Francisco for specified categories of advertising, commencing July 1, 1997. (Purchasing Department) Referred to Rules Committee.

File 172-97-027. [MUNI Trolley Bus Contract] Resolution approving the award of San Francisco Municipal Railway Contract Proposal No. 888 for procurement of articulated and standard trolley coaches to Electric Transit Incorporated, in an amount not to exceed \$168,752,888. (Public Transportation Commission) Referred to Finance Committee.

File 194-97-004. [Tobacco Litigation Settlement Agreement] Resolution approving settlement agreement with Liggett Group in People v. Philip Morris Co., et al.; City and County of San Francisco, et al. v. Philip Morris. (City Attorney) Referred to Rules Committee.

File 271-97-004. [CEQA Findings and General Plan Amendments] Resolution approving amendments to the San Francisco General Plan in order to approve acquisition of Lot 67 in Assessor's Block 2923 and lots 10, 11, 12, 13 and 21 in Assessor's Block 2934 known as Edgehill Mountain open space extension, and Lot 2 in Assessor's Block 4061, known as Esprit Park, by the City and County of San Francisco, for enlargement of one public open space, and establishment of a new public park. The amendment was adopted by the Planning Commission by Resolution No. 14363 on May 1, 1997, incorporating by reference findings pursuant to the California Environmental Quality Act as analyzed in the Certificate of Determination of Exemption/Exclusion from Environmental Review for the amendments to the Recreation and Open Space Element of the General Plan, File No. 97.118EM; companion measure to File 168-97-1. (General Rules Exclusion (State Guidelines, Section 15061(b)(3)). Planning Commission Resolution 14363 dated 5/1/96 adopting the General Plan Amendment. Planning Commission Resolution 14364 dated 5/1/97 finding the project in conformity with the General Plan). (Planning Department) Referred to Finance Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that City Attorney draft an ordinance which would: Establish criteria for companies selling goods to the City, which would qualify the goods as not being produced under sweatshop conditions.

By Supervisor Medina, that letter be sent to the District Attorney inquiring about the rate of prosecution of Graffiti vandals.

By Supervisor Katz, that City Attorney draft an ordinance, in conjunction with the Human Rights Commission, to provide preferences on city contracts for businesses owned by individuals with disabilities.

By Supervisor Katz, that letter be sent to the City Attorney inquiring about a way to make City Attorney requests accessible to all Supervisor's Offices electronically, avoiding situations where a Supervisor submits a proposal identical to one already submitted by another Supervisor.

By Supervisor Yaki, that City Attorney look into whether the Purchaser can adjust bid evaluation factors for purchasing goods and services to compensate for local, regional, or State CPI or cost of living index in determining lowest competitive bid in order to level the playing field for local vendors without specifying that bids be San Francisco only.

Monday, May 19, 1997

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Bill Berelson (Supervisor Kaufman)  
Milton Feldstein (Supervisor Leal)

File 2-97-18

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:07 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 4, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

OF

390

#72

5/27/97

Tuesday, May 27, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, May 27, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Brown, Katz, Medina - 3.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Katz excused. (See infra.)

Supervisor Medina excused. (See infra.)

Supervisors Brown, Katz, Medina Excused

The Clerk stated Supervisors Brown, Medina, and Katz requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Leal, moved to excuse Supervisors Brown, Katz, and Medina from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, March 31, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Ammiano requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Finally Passed

[General Assistance Grants]  
Ordinance amending Administrative Code, relating to the automatic cost of living adjustment (COLA) of general assistance grants (suspends the COLA for fiscal year 1997-98). (Mayor Willie L. Brown, Jr.)

File 97-97-20, Ordinance No. 209-97

(Fiscal Impact.)

(Amends Section 20.57.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 7.

Noes: Supervisor Ammiano - 1.

Absent: Supervisors Brown, Katz, Medina - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Public Library]

Ordinance appropriating \$1,583,586, Public Library, of 1988 Public Library Improvement Bond interest earnings to capital improvement projects (construction contingency), for fiscal year 1996-97; providing for ratification of action previously taken; and placing \$300,000 on reserve. (Controller)

File 101-96-64, Ordinance No. 202-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Public Library]

Ordinance appropriating \$399,660, Public Library, of 1988 Public Library Improvement Bond interest earnings to capital improvement projects (construction contingency), for fiscal year 1996-97, providing for ratification of action previously taken. (Controller)

File 101-96-74, Ordinance No. 208-97

Finally passed.

[Appropriation, DPH-Mental Health]

Ordinance appropriating \$400,000, Department of Public Health-Mental Health, of State Revenue for other medical services, to provide additional children and youth crises services in fiscal year 1996-97; placing \$225,995 on reserve. (Supervisor Leal)

File 101-96-73, Ordinance No. 207-97

Finally passed.

[Appropriation, District Attorney]

Ordinance appropriating \$55,000, District Attorney's Office, from the General Fund Reserve for litigation expenses (investigative services and witness support) for fiscal year 1996-97. (Controller)

File 101-96-68, Ordinance No. 203-97

Finally passed.

[Appropriation, Juvenile Probation]

Ordinance appropriating \$472,209, Juvenile Probation, of State Revenue for salaries, materials and supplies, other current expenses, equipment and facilities maintenance (Log Cabin Ranch) for fiscal year 1996-97; placing \$118,222 on reserve. (Controller)

File 101-96-69, Ordinance No. 204-97

Finally passed.

[Appropriation, Public Defender's Office]

Ordinance appropriating \$140,000, Public Defender's Office, of Court Fee Revenue to salaries and fringe benefits to address the projected budget shortfall for fiscal year 1996-97. (Controller)

File 101-96-70, Ordinance No. 205-97

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$66,000, Mayor's Office, from the General Fund Reserve to security services in fiscal year 1996-97, to reimburse the Community United Against Violence (CUAV), for costs associated with a 1996 halloween event; providing for ratification of action previously taken. (Controller)

File 101-96-72, Ordinance No. 206-97

Finally passed.

#### Recommendations of Health, Family and Environment Committee

Finally Passed

[Immigrant Rights Commission]

Ordinance amending Administrative Code, establishing the Immigrant Rights Commission. (Supervisors Teng, Katz, Bierman, Yee, Brown, Medina)

File 97-96-64, Ordinance No. 211-97

(Adds Article XXI, Section 5.201.)

Finally passed.

[Minority/Women/Local Business Enterprise Program]

Ordinance amending Administrative Code, to set forth findings supporting six month extension of MBE/WBE/LBE Ordinance - III and providing for the six month extension. (Supervisors Katz, Leal, Bierman, Yee, Brown, Medina, Teng)

File 284-97-1, Ordinance No. 210-97

(Adds Section 120.2-2;

Amends Sections 120.9(A), 120.10(A), 120.11(A), 120.11(A)-(1) and 120.15(G).)

Finally passed.

#### Recommendations of Rules Committee

Passed for Second Reading

[Rita Louise Koester v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rita Louise Koester v. City and County by payment of \$40,000. (City Attorney)

File 45-97-38, Ordinance No.

(Superior Court No. 974-800.)

Passed for second reading.

[Eleanor Garcia v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Eleanor Garcia against the City and County by payment of \$9,750. (City Attorney)

File 45-97-39, Ordinance No.

(Superior Court No. 979-431.)

Passed for second reading.

[Franchesca Medina v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Franchesca Medina against the City and County by payment of \$9,000. (City Attorney)

File 45-97-40, Ordinance No.

(USDC No. C93-3910-MEJ.)

Passed for second reading.

[Hazel Rodgers v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Hazel Rodgers against the City and County by payment of \$25,000. (City Attorney)

File 45-97-41, Ordinance No.

(Superior Court No. 969-623.)

Passed for second reading.

[Shui Lan Tam/Hong On Lam v. CCSF]

Ordinance authorizing settlement of litigation of Shui Lan Tam and Hong On Lam v. City and County by payment of \$35,000. (City Attorney)

File 45-97-42, Ordinance No.

(Superior Court No. 967-883.)

Passed for second reading.

[Anthony Ramirez v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Anthony Ramirez against the City and County by payment of \$7,000. (City Attorney)

File 45-97-43, Ordinance No.

(Superior Court No. 974-039.)

Passed for second reading.

[Debra Walker v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Debra Walker against the City and County by payment of \$10,000. (City Attorney)

File 45-97-45, Ordinance No.

(Superior Court No. 975-901.)

Passed for second reading.

Adopted

[Gift Acceptance]

Resolution authorizing the Chief of Police to accept, on behalf of the Police Department, the gift of specialized computer equipment from N.E.C. Technologies to enhance the Department's Automated Fingerprint Identification System (AFIS). (Police Department)

File 38-97-3, Resolution No. 508-97

Adopted.

[Settlement of Claim, Jonathan Kramer]

Resolution approving the settlement of unlitigated claim of Jonathan Kramer by payment of \$8,817.06. (City Attorney)

File 48-97-30, Resolution No. 509-97

Adopted.

[Settlement of Claim, Clifford Gray/Gary Logan]

Resolution approving the settlement of unlitigated claims of Clifford Gray for \$55,000 and Gary Logan for \$1.00. (City Attorney)

File 48-97-31, Resolution No. 510-97

Adopted.

[Settlement of Claim, Ann E. Schlegel]  
Resolution approving the settlement of the unlitigated claim of Ann E. Schlegel by payment of \$7,000.  
(City Attorney)

File 48-97-32, Resolution No. 511-97

Adopted.

[Settlement of Claim, Hoxie Development, Inc.]  
Resolution approving the settlement of the unlitigated claim of Hoxie Development, Inc. by payment of \$7,580. (City Attorney)

File 48-97-33, Resolution No. 512-97

Adopted.

[Settlement of Claim, Richard Kamp]  
Resolution approving the settlement of the unlitigated claim of Richard Kamp by payment of \$12,500.  
(City Attorney)

File 48-97-34, Resolution No. 513-97

Adopted.

[Settlement of Claim, Cyrus Frank]  
Resolution approving the settlement of the unlitigated claim of Cyrus Frank by payment of \$7,500.00.  
(City Attorney)

File 48-97-35, Resolution No. 514-97

Adopted.

[Claim, Joni Herr-Young/Dallas Dean Kort/CSAA]  
Resolution approving the settlement of the unlitigated claim of Joni Herr-Young, Dallas Dean Kort and California State Automobile Association by payment of \$8,160.93. (City Attorney)

File 48-97-36, Resolution No. 515-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### From the Clerk

(Supervisor Ammiano was absent at the public hearing.)

Adopted

[Findings]  
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 96.723C, for the subdivision of one lot into two new lots, both of which would have fewer than 25 feet of width, and the construction of one-family dwelling on each, in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District on property located at 12614 DeHaro Street, east side, between 23rd and 24th Streets; Lot 43 in Assessor's Block 4218. (Clerk of the Board)

File 37-97-2.4

Supervisor Ammiano Excused from Voting

The Clerk announced that Supervisor Ammiano requested to be excused from voting.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Ammiano from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

The roll was then called on the main motion and it was adopted by the following vote:

Adopted by the following vote:

Ayes: Supervisors Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 7.

Excused: Supervisor Ammiano - 1.

Absent: Supervisors Brown, Katz, Medina - 3.

Recommendations of Health, Family and Environment Committee

Finally Passed

[Nondiscrimination, Contract, Property Contract]

Ordinance amending Administrative Code, to update and simplify provisions; to conform language to historical interpretations; to prohibit discrimination by City contractors based on the perception of a person's status within a category against which discrimination is prohibited and based on fact or perception of a person's domestic partner status or marital status; to apply Chapters 12B and 12C's nondiscrimination requirements to property contracts, as defined, including property contracts granting a property interest to the City; to define "contracts" and "property contracts" that are subject to Chapters 12B and 12C; to define "amendment" of a contract to include substantive amendments and to exclude construction change orders; to clarify the application of Section 12B.2(B) to a prime contractor's or subcontractor's operations throughout the United States; to require City contractors to treat requests for domestic partner or spousal benefits as confidential; and to provide certain exceptions to Chapters 12B and 12C in Sections 12B.5-1 and 12C.5-1. (Supervisors Katz, Ammiano, Leal, Bierman)

File 97-97-21, Ordinance No. 201-97

(Amends Chapters 12B and 12C.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Assessor's Office]

Ordinance appropriating \$250,000, Assessor's Office, from the General Fund Reserve for professional (legal) services for fiscal year 1996-97. (Controller)

File 101-96-71, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Amendment to MOU, Local 216]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Building Material and Construction Teamsters, Local 216 and the City and County providing that all covered employees be placed into full retirement contribution status effective January 11, 1997 following approval of this ordinance by the Mayor; providing for ratification of action previously taken. (Department of Human Resources)

File 93-97-7, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Arbitrator's Award, IFTE Local 21]

Ordinance adopting and implementing the provisions of an Arbitrator's Award granting acting pay to twenty five (25) employees effective November 10, 1994 pursuant to a grievance filed pursuant to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County. (Department of Human Resources)

File 93-97-34, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Budget Process]

Ordinance amending Administrative Code, to establish a budget process pursuant to Charter Section 9.100, by repealing and reserving Sections 3.26 through 3.49 for future use. (Supervisor Kaufman)

File 97-97-17, Ordinance No.

(Repeals Sections 3.05 through 3.20  
Adds Sections 3.1 through 3.25.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Adopted

[Lease of Property at 2601 Mission Street]

Resolution authorizing the lease of real property at 2601 Mission Street for the Mission Branch Library. (Supervisor Leal)

File 64-97-6, Resolution No. 516-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Lease of Property]

Resolution authorizing five (5) leases to non-profit agencies of certain City properties under the purview of the Southeast Community Facility Commission. (Real Estate Department)

File 65-97-7, Resolution No. 517-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Bond Sale]

Resolution authorizing and directing the sale of not to exceed \$26,000,000 City and County General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1997A and not to exceed \$22,050,000 City and County General Obligation Bonds (School District Facilities Improvements, 1994), Series 1997B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of funds related thereto; approving the forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of official notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor Brown)

File 170-97-3, Resolution No. 523-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading as Amended

[Restaurants on Second Floor]

Ordinance amending Planning Code, by adding a special provision to Section 722.42 and amending the associated chart set forth in Section 722 to allow full-service restaurants on the second floor of buildings in the North Beach Neighborhood Commercial District as a conditional use under certain specified circumstances; adopting findings pursuant to Section 101.1. (Supervisor Kaufman)

File 115-97-2, Ordinance No.

(City Planning Resolution No. 14358; Certificate of Determination of Exemption/Exclusion from Environmental Review dated March 3, 1997.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an Amendment of the Whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Passed for Second Reading

[Bicycle Racks on Sidewalk Regulations]

Ordinance amending Traffic Code, authorizing the Department of Parking and Traffic to install or grant permits to install bicycle racks on sidewalks. (Supervisors Katz, Bierman, Teng, Leal)

File 124-97-3, Ordinance No.

(Adds Section 219.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.



In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

Adopted

[Automobile Insurance Fraud Grant]

Resolution authorizing the District Attorney, to retroactively apply for, accept and expend funds in the amount of \$300,000 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1996 through June 30, 1997. (District Attorney)

File 138-97-1, Resolution No. 519-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Workers' Compensation Fraud Grant]

Resolution authorizing the District Attorney, to retroactively apply for, accept and expend funds in the amount of \$307,754 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Workers' Compensation Fraud" for the period of July 1, 1996 through June 30, 1997. (District Attorney)

File 138-97-2, Resolution No. 520-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Liquor License Transfer, 98 Broad Street]

Resolution opposing the request for the transfer of a Type 21 off-sale general alcoholic beverage license to Roy Adams from 105 Broad Street to 98 Broad Street, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-11, Resolution No. 527-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Liquor License Transfer, 1317 - 9th Avenue]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license to Basim Dudum and Adib Dudum for "Original Carlos Liquors" previously located at 821 Irving Street to 1317 - 9th Avenue, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-13, Resolution No. 528-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Recommendations of Economic Development, Transportation  
and Technology Committee

Passed for Second Reading

[Taxicab Surcharges]

Ordinance amending Police Code, regulating taxicabs, to prohibit surcharges on taxicab drivers for non-cash transactions. (Supervisor Newsom)

File 15-97-2, Ordinance No.

(Amends Section 1135.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Adopted

[Encroachment Permit, Brotherhood Way]

Resolution granting revocable permission to the Art Commission to relocate a sculpture by Benjamin Bufano entitled "Peace" from its current location at San Francisco International Airport to a site within the landscaped street right-of-way on the northerly side of Brotherhood Way and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 10-97-5, Resolution No. 492-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Encroachment Permit, Ecker Street/Elm Alley]

Resolution granting revocable permission to Golden Gate University to install three (3) four-inch conduits for telecommunications purposes under Ecker Street and Elm Alley between the Golden Gate University property at 536 Mission (Block 3708, Lot 13) and at 62 First Street (Block 3708, Lot 6), and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 10-97-6, Resolution No. 504-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Encroachment Permit, Garden/Broderick Streets]

Resolution granting revocable permission to M.A. Mortenson Company to temporarily close and occupy the south sidewalk and a portion of the street area on Garden Street and the east sidewalk and a portion of the street area on Broderick Street between Geary Boulevard and Garden Street and between Garden Street and Post Street during construction operations for the Kaiser Foundation Health Plan Medical Offices at 2290 Geary Boulevard. (Department of Public Works)

File 10-97-7, Resolution No. 505-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Public Access Cable Television Provider]

Resolution designating the San Francisco Community Television Corporation to manage and control the public access cable television channel for the City. (Supervisor Bierman)

File 32-97-4, Resolution No. 507-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Grant, State Funds]

Resolution authorizing the Director of Public Works to execute documents necessary to apply for retroactively, accept and expend \$50,000 of the California Integrated Waste Management Board's Rubberized Asphalt Concrete Grant Program with required matching funds of \$50,000 for a Public Works Project and placing \$100,000 on reserve. (Supervisor Yaki)

File 148-97-3, Resolution No. 521-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Mid-Market Project Area Committee]

Resolution confirming the election of members to the Project Area Committee for the Mid-Market Redevelopment Project Area and amending Resolution No. 1089-96 to approve and adopt procedures in the revised Articles of Formation for a Redevelopment Project Area Committee for the Mid-Market Redevelopment Project Area. (Redevelopment Agency)

File 161-97-4, Resolution No. 522-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Recommendations of Rules Committee

Passed for Second Reading

[City Attorney Conflict of Interest Code]

Ordinance amending Administrative Code, to include attorneys assigned to work for the Port. (City Attorney)

File 97-97-23, Ordinance No.

(Amends Section 58.165.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Adopted

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, for new four-year term ending August 20, 1999. (Rules Committee)

File 92-95-39.4, Resolution No. 491-97

(Kevin E. Polk, vice Shelby Kennedy, Seat No. 26613, expertise in building, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, for new four-year term ending August 20, 2000. (Rules Committee)

File 92-96-46.3, Resolution No. 493-97

(Carla Furtado, vice Elise Stone, Seat No. 26616, Health Educator, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for unexpired portion of four-year term ending December 22, 1999. (Rules Committee)

File 92-97-20, Resolution No. 518-97

(Jamie Sanbonmatsu, vice Norman Fong, Seat No. 26713, Tenant Organization, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, Muni key stops interference;  
Patricia Vaughey, Department of Public Works public relations;  
Leboriae P. Smoore, Alice Griffith Housing Project, police brutality;  
Julia Sabori, Youth Commission Youth Empowerment Conference;  
Kent Khousombath, Youth Commission Youth Empowerment Conference;  
Daniel Pieste, stadium measure;  
Worldwind Dreamer, general assistance cost of living increases;  
Male speaker, stadium, cable car.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

["No Sweatshop Conditions" Policy]  
Resolution establishing a "No Sweatshop Conditions" policy statement for the City and County and establishing the criteria for "No Sweatshop Conditions." (Supervisors Teng, Bierman, Leal)

File 43-97-03, Resolution No.

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Supervisor Teng, seconded by Supervisor Leal, moved to continue consideration to June 2, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commending Crystal Cruises]  
Resolution designating May 29, 1997 as Crystal Cruises Day in San Francisco and commending Crystal Cruises for their contributions to the Port. (Supervisors Kaufman, Leal, Teng)

File 6-97-91, Resolution No. 494-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

[Recognizing Kops and Kids Day]

Resolution recognizing the Seventh Annual "Kops and Kids Day" in Daly City and commending the participants for their commitment to public safety. (Supervisors Kaufman, Bierman, Leal, Teng)

File 6-97-92, Resolution No. 495-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

[Russian-American Day]

Resolution designating June 1, 1997 as Russian-American Day in San Francisco and commending the participating organizations for their continued dedication to charitable, cultural, and educational services and for their contributions to the City and County. (Supervisors Kaufman, Bierman, Leal, Teng)

File 6-97-93, Resolution No. 496-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

[Stand For Children Weekend]

Resolution designating the weekend of May 31 and June 1, 1997 as Stand For Children Weekend in San Francisco and commending all those in our community who work as advocates for children. (Supervisors Kaufman, Bierman, Leal, Teng)

File 6-97-94, Resolution No. 497-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

[Commending National Center For Lesbian Rights]

Resolution commending the National Center for Lesbian Rights for its achievements in promoting the civil and human rights of lesbians on the occasion of its 20th Anniversary and proclaiming Saturday, May 31, 1997 "National Center For Lesbian Rights Day" in the City and County of San Francisco. (Supervisors Leal, Katz, Bierman, Teng)

File 6-97-95, Resolution No. 498-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Commending Mission Housing Development Corp.]

Resolution commending the efforts of the Mission Housing Development Corporation and the Mission District community members to develop a conceptual plan for the improvement of the Mission Corridor Bart Plazas. (Supervisors Leal, Bierman, Teng)

File 6-97-96, Resolution No. 499-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Commending National Public Works Week]

Resolution commending the Department of Public Works and declaring May 25th through May 31st, 1997 as "Public Works Week" in San Francisco. (Supervisors Teng, Kaufman, Leal, Teng, Bierman)

File 6-97-99, Resolution No. 500-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Teng, Bierman requested to be added as co-sponsors.

[Commending Robert Hogan]

Resolution commending Robert Hogan. (Supervisors Yee, Teng, Bierman)

File 6-97-100, Resolution No. 501-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Commending Cynthia Hart]

Resolution commending Cynthia Hart. (Supervisors Yee, Teng, Bierman)

File 6-97-101, Resolution No. 502-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Welcoming Rugby Players]

Resolution welcoming all USA and International Rugby Players to the International Test Series 1997. (Supervisors Yee, Teng, Bierman)

File 6-97-102, Resolution No. 503-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Opposing AB 481, Lead Poisoning Prevention]

Resolution declaring the City and County to be officially opposed to AB 481 unless amended to prevent the pre-emption of the 1996 legislation of the City and County to reduce lead hazards in private housing where lead-poisoned children reside and otherwise interfere with other efforts of the City and County to prevent childhood lead poisoning while minimizing negative impacts on housing affordability. (Supervisors Bierman, Teng)

File 12-97-22, Resolution No. 506-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Parking, Noe Valley Commercial District]

Resolution urging the Department of Parking and Traffic to create additional parking in the Noe Valley Commercial District. (Supervisors Newsom, Teng, Bierman)

File 190-97-10, Resolution No. 524-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Improve Recreation and Park Programs]

Resolution urging the Recreation and Park Department to improve services by establishing a minimum level of service at each facility that is culturally sensitive and linguistically proficient; to establish a Community Advisory Committee at each facility to improve communication between the public and the staff; and to establish multi-service centers that collaborate with San Francisco Unified School District, City departments, local business and the community; to establish a central information referral office to ensure program information reaches every child and family; and to expand the Latch Key and Workrecreation Programs to reduce youths' unproductive time; and to fully comply with the Americans With Disabilities Act. (Supervisors Teng, Medina, Yee, Bierman, Leal)

File 193-97-6, Resolution No. 525-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[San Francisco Youth Empowerment Conference]

Resolution endorsing the San Francisco Youth Empowerment Conference and supporting a "Youth Empowerment Agenda" which will provide the youth of San Francisco with opportunities to take leadership in their communities and in City government. (Supervisors Newsom, Brown, Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee)

File 215-97-5, Resolution No. 526-97

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.09

(May 19, 1997 - Introduced in Board for consideration on May 27, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - B.

Absent: Supervisors Brown, Katz, Medina - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Street Roadway Acceptance]

Ordinance accepting for purposes of maintenance the streets designated herein, subject to specified limitations, pursuant to California Streets and Highway Code Section 1806 and Department of Public Works Order No. 170.357. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 009-97-001.

[Nondiscrimination, Contract, Property Contract]

Ordinance amending Administrative Code Sections 12B.1, 12B.5-1, 12C.5-1 and 12B.6 to amend the definition of "contract" under Chapter 12B to exclude from the scope of Chapter 12B those contracts entered into after June 1, 1997 pursuant to settlement of legal proceedings; to include "property contracts" in subsections (1)(2) and (d) of Sections 12B.5-1 and 12C.5-1; and to amend Chapter 12B in relation to Federal or State laws. Supervisors Katz, Ammiano, Leal presented. Referred to Health, Family and Environment Committee.



File 097-97-021.01.

Referred to Board

[Ballpark, Rincon Point-South Beach]  
Ordinance amending Ordinance No. 14-81, amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92, 430-94 and 119-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically including Lots 38 and 27 on Assessor Block 3794 and Piers 468 and 46C, seawall lot 336 and portion of seawall lot 335, including streets on Assessor Block 9900; companion measure to File 271-97-5. Supervisor Yaki presented. Referred to Board Sitting as a Committee of the Whole, June 30, 1997, special order 3:00 p.m.

File 151-97-003.

[Ballpark, General Plan Amendments]  
Ordinance approving amendments to the urban design and recreation and open space elements and the Northeastern Waterfront Plan of the San Francisco General Plan; companion measure to File 151-97-3. Supervisor Yaki presented. Referred to Board Sitting as a Committee of the Whole June 30, 1997, special order 3:00 p.m.

File 271-97-005.

[Proclaim Resources for Youth Month]  
Resolution proclaiming June 1997 "Resources for Youth" Month. Supervisors Yee, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 004-97-025.

[Proclaim Jeanette Kim Day]  
Resolution recognizing three plus decades of being strong enough to care and proclaiming May 30, 1997 as "Jeanette Kim Day". Supervisors Yee, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 004-97-026.

[Commend Jim Delfino]  
Resolution commending Jim Delfino for his outstanding work at the San Francisco Recreation and Park Department as an area supervisor in the Turf Management Division. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 006-97-103.

[Commend Chancellor Chang-Lin Tien]  
Resolution commending University of California Berkeley Chancellor Chang-Lin Tien on his distinguished life-time achievements and declaring June 30, 1997 as "Chancellor Chang-Lin Tien Day" in San Francisco. Supervisors Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 006-97-104.

[Commend Elizabeth S. McClintock]  
Resolution commending Dr. Elizabeth S. McClintock for receiving the 1997 Emily Prettyman Lowell Award for her outstanding contributions to the San Francisco Urban Forest. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 006-97-105.

[State of Maine]  
Resolution declaring support for the State of Maine for passing a bill outlawing discrimination on the basis of sexual orientation with regards to employment, credit, housing and public accommodations. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 013-97-022.

Referred to Committee



[Caltrain FEIS/EIR Studies]

Resolution requesting that the work being done on the Downtown extension project reports and studies be completed and presented to the Board with conclusions; and instructing San Francisco Representatives on the Joint Powers Board to communicate this resolution and the resolution adopted by the San Francisco Board of Supervisors on May 12 endorsing the Main/Beale South Design Concept and Program for a replacement facility (Res. No. 448-97). Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 085-97-003.

Referred to Board

[Grant, State Funds, Police]

Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of \$100,000 for a project known as the "Suppression of Drug Abuse in the Schools", and rescinding Resolution No. 421-97. Supervisors Amiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 143-97-003.

[School Literacy Campaign]

Resolution encouraging all San Franciscans to join the Literacy Campaign and donate new or used children's books to San Francisco Elementary Schools before the end of the school year. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 211-97-002.

[Nurses with Bilingual Capabilities]

Resolution urging the San Francisco Unified School District to allow the registered nurses with bilingual capabilities to continue their present arrangement and to expand the collaboration with the Department of Public Health so that the San Francisco children and youth will benefit from complete and comprehensive health care. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 211-97-003.

[Automobile Subsidy Analysis]

Resolution expressing support for a San Francisco Automobile Subsidy Analysis and requesting the Mayor's Budget Office, City Departments and the Transportation Authority support the analysis and cooperate with the study team. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 2, 1997.

File 258-97-001.

Requests for Hearings:

[Non-Standard Streets]

Hearing to consider the complete survey of non-standard street blocks in the City, the feasibility and fiscal impact of bringing these street blocks up to City standard. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 009-97-002.

[De Young Museum]

Hearing to discuss alternatives for the future location of the De Young Museum. Supervisors Yee, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 193-97-007.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-049. [Constance Kremesec, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Constance Kremesec against the City and County of San Francisco by payment of \$235,000. (Superior Court No. 980-386). (City Attorney) Referred to Rules Committee.

File 046-97-007. [CCSF v. Dow Corning, et al.] Ordinance authorizing settlement of litigation of City and County of San Francisco against Dow Corning, et al. for materials and product discounts to City at a value of approximately \$35,000. (Superior Court No. 983-823). (City Attorney) Referred to Rules Committee.

File 101-96-088. [Appropriation, Asian Art Museum/DPW] Ordinance appropriating \$32,499,633, Asian Art Museum and Department of Public Works, proceeds from the sale of Bonds (\$7,605,863 of 1989 Earthquake Safety Bonds and \$24,893,770 of Asian Art Relocation Project Bond) for the reconstruction of the former Public Library and relocation of the Asian Art Museum for fiscal year 1996-97; placing \$28,692,198 on reserve. RO #96327. (Controller) Referred to Finance Committee.

File 106-97-001. [Compensation, Superior/Municipal Courts, FY97-98] Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior and Municipal Courts for the City and County of San Francisco for fiscal year 1997-98. (Superior and Municipal Courts) Referred to Finance Committee.

File 172-97-028. [Bulk Natural Gas Agreements] Ordinance authorizing the General Manager of the Public Utilities Commission to execute the following agreements and annual renewals thereto: (1) an Energy Service Agreement with the State of California for purchase of bulk natural gas service, (2) a Natural Gas Service Agreement with PG&E for transportation of bulk natural gas purchased from the State of California, and (3) a Natural Gas Storage Services Agreement with PG&E for storage of bulk natural gas purchased from the State of California; waiving requirement of Section 12F.5 of the San Francisco Administrative Code that every contract shall contain a statement urging companies doing business in Northern Ireland to abide by the Macbride principles; waiving requirement of Section 12.1.5(b) of the San Francisco Administrative Code that every contract shall contain a statement urging companies not to use tropical hardwoods; waiving requirement of Section 128.1.(a) of the San Francisco Administrative Code that every contract shall contain a nondiscrimination provision; and waiving requirement of Section 12J.3(b) of the San Francisco Administrative Code that every contractor attest that it is not a prohibited person or entity with investments or employees in Burma. (Public Utilities Commission) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 010-97-008. [Encroachment Permit, Golden Gate Avenue] Resolution granting revocable permission to the Clark Construction Group, Inc., for a one-year extension to temporarily close and occupy the southerly sidewalk and a portion of the street area on Golden Gate Avenue between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street, between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street (Block 765, Lots 2 and 3). (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 018-97-004. [Stop Intersections] Resolution designating certain intersections as "Stop" intersections. DPT Order No. 1292. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-003. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1292. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-003. [Traffic Regulations, Various Locations] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1292. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 068-97-004. [Grant, Summer Food Services Program] Resolution authorizing the Mayor to apply for, accept and expend \$679,499 from the United States Department of Agriculture (USDA), to sponsor the Summer Food Service Program for needy children. (Mayor's Office of Children, Youth and Their Families) Referred to Health, Family and Environment Committee.

File 112-097-003. [Outreach Newspapers, FY 1997-98] Resolution designating the Small Business Exchange to be outreach newspaper of the City and County of San Francisco for the African-American community; designating the Chinese Times to be outreach newspaper of the City and County of San Francisco for the Chinese community; and designating the El Latino to be outreach newspaper of the City and County of San Francisco for the Hispanic community, commencing July 1, 1997, for outreach advertising. (Purchasing Department) Referred to Finance Committee.

File 112-097-004. [Outreach Newspaper, FY 1997-98] Resolution designating the San Francisco Bay Times for outreach advertising for the City and County of San Francisco for the Lesbian/Gay/Bisexual Community beginning July 1, 1997, and until such time that a periodical can be designated as the official outreach periodical for the Lesbian/Gay/Bisexual Community. (Purchasing Department) Referred to Finance Committee.

File 172-097-029. [Agreement, Sheriff/Mr. Ben Dorcy] Resolution authorizing the San Francisco Sheriff's Department to enter into agreement with Mr. Ben Dorcy for mandatory certified CPR and First Aid training, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff) Referred to Housing and Neighborhood Services Committee.

File 172-097-030. [Agreement, Sheriff/Dr. George Bach-Y-Rita] Resolution authorizing the San Francisco Sheriff's Department to enter into agreement with Dr. George Bach-Y-Rita for psychiatric evaluation services, which agreement provides for dual indemnification from claims or other damages which may arise as a result of performance under said agreement. (Sheriff) Referred to Housing and Neighborhood Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that City Attorney prepare ordinance which would restrict the credit which Project 20 recipients (traffic and other citable offenders who may work off the money owed on tickets through community services) attain to only service performed within the community of San Francisco.

By Supervisor Teng, that City Attorney draft ordinance which would require all streets to be built to city standard so they can be properly maintained by the Department of Public Works.

By Supervisor Yaki, that City Attorney draft ordinance which would prohibit refineries from opening any refinery-owned service station in the City and County of San Francisco; which would require the refineries to divest themselves of existing stations over a set period of time and prohibit oil companies from engaging in "zone pricing" business practices which regulate by county, subdivision or street the retail gasoline price.

By Supervisor Yee, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine the method of prioritization that will be utilized to address the needs of various facilities within the Recreation and Park Department.

By Supervisor Leal, that letter be sent to Tax Collector concerning recent problem relating to incorrect amounts requested for permit fees for businesses under 1,000 square feet and requesting a report within 30 days on the situation, how it was remedied and how the process is proceeding.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Oscar Rushakoff (By Supervisor Kaufman)  
Gunter Lowenthal (By Supervisor Leal)  
Rose Apito Morton (By Supervisor Ammiano)  
Mark T. James (By Supervisor Yee)

File 2-97-21

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:10 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 11, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

Tuesday, May 27, 1997

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

\_\_\_\_\_  
Tuesday, May 27, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Brown, Katz, Medina - 3.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Katz excused. (See infra.)

Supervisor Medina excused. (See infra.)

Supervisors Brown, Katz, Medina Excused

The Clerk stated Supervisors Brown, Medina, and Katz requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Leal, moved to excuse Supervisors Brown, Katz, and Medina from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

Recommendation of Rules Committee

Passed for Second Reading

[Tobacco Litigation Settlement Agreement]  
Ordinance approving settlement with Liggett Group in People v. Philip Morris Co., et al.; City and County of San Francisco, et al. v. Philip Morris. (City Attorney)

File 194-97-4, Ordinance No.

(Superior Court No. 974-800.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Medina - 3.

ADJOURNMENT

There being no further business, the Board at the hour of 2:05 p.m. adjourned.

John L. Taylor, Clerk

Tuesday, May 27, 1997

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 11, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



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Monday, June 2, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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Volume 92

Number 22





\_\_\_\_\_  
Monday, June 2, 1997 - 2:00 p.m.  
\_\_\_\_\_

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Yee - 1.

Quorum present.

Supervisor Yee was noted present at 2:03 p.m.

COMMUNICATION

The Clerk stated that on June 1, 1997, he received the following communications from the Mayor transmitting the 1997-1998 Budget and related items as follows:

Referred to Finance Committee

[Budget, 1997 - 1998]

Communication from the Mayor received June 1, 1997, transmitting the 1997 - 1998 Budget.

File 100-97-001.

[Annual Appropriation Ordinance, FY 1997-98]

Annual Appropriation Ordinance, fiscal year 1997-98, an ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1998. Mayor Willie L. Brown.

File 101-97-002.

[Annual Salary Ordinance, FY 1997-98]

Ordinance Annual Salary Ordinance for fiscal year 1997-1998. Mayor Willie L. Brown.

File 102-97-002.

[Interim Annual Appropriation Ordinance, FY 1997-98]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1998. Mayor Willie L. Brown.

File 101-97-001.

[Interim Annual Salary Ordinance, FY 1997-98]

Interim Annual Salary Ordinance for fiscal year ending June 30, 1998, entitled "An ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1998, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the annual appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor." Mayor Willie L. Brown.

File 102-97-001.

All the above items were referred to Finance Committee.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Ammiano requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$1,800,000, Public Utilities Commission, of 1998B Clean Water Sewer Revenue Bond proceeds to a capital improvement project for the predesign of the Recycled Water Master Plan (Phase 1) for fiscal year 1996-97. (Controller)

File 101-96-79, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisors Ammiano, Yee - 2.

Severed from Consent Calendar

Supervisor Katz requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Adopted

[Prop J Contract, Shuttle Bus Services]

Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the first half of the fiscal year commencing July 1, 1997 than if work were performed by City and County employees. (Airport)

File 25-97-8, Resolution No. 543-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Appropriation, Assessor's Office]

Ordinance appropriating \$250,000, Assessor's Office, from the General Fund Reserve for professional (legal) services for fiscal year 1996-97. (Controller)

File 101-96-71, Ordinance No. 212-97

(Fiscal Impact.)

Finally passed.

[Amendment to MOU, Local 216]  
Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Building Material and Construction Teamsters, Local 216 and the City and County providing that all covered employees be placed into full retirement contribution status effective January 11, 1997 following approval of this ordinance by the Mayor; providing for ratification of action previously taken. (Department of Human Resources)

File 93-97-7, Ordinance No. 221-97

(Fiscal Impact.)

Finally passed.

[Arbitrator's Award, IFTE Local 21]  
Ordinance adopting and implementing the provisions of an Arbitrator's Award granting acting pay to twenty five (25) employees effective November 10, 1994 pursuant to a grievance filed pursuant to the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County. (Department of Human Resources)

File 93-97-34, Ordinance No. 222-97

(Fiscal Impact.)

Finally passed.

[Budget Process]  
Ordinance amending Administrative Code, to establish a budget process pursuant to Charter Section 9.100, by repealing and reserving Sections 3.26 through 3.49 for future use. (Supervisor Kaufman)

File 97-97-17, Ordinance No. 223-97

(Repeals Sections 3.05 through 3.20  
Adds Sections 3.1 through 3.25.)

Finally passed.

Passed for Second Reading

[Appropriation, Human Rights Commission]  
Ordinance appropriating \$151,876, Human Rights Commission, from the General Fund Reserve for professional services to conduct a disparity study of minority and women business utilization in fiscal year 1996-97. (Controller)

File 101-96-75, Ordinance No.

Passed for second reading.

[Appropriation, DA/Juvenile Probation/DPT/DHR]  
Ordinance appropriating \$1,538,222, from the General Fund Reserve to Workers' Compensation and professional services, to address projected budget shortfalls at the District Attorney, Juvenile Probation, Parking and Traffic, and Human Resources departments for fiscal year 1996-97. (Controller)

File 101-96-80, Ordinance No.

Passed for second reading.

Recommendation of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Taxicab Surcharges]  
Ordinance amending Police Code, regulating taxicabs, to prohibit surcharges on taxicab drivers for non-cash transactions. (Supervisor Newsom)

File 15-97-2, Ordinance No. 213-97

(Amends Section 1135.)

Finally passed.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Bicycle Racks on Sidewalk Regulations]

Ordinance amending Traffic Code, authorizing the Department of Parking and Traffic to install or grant permits to install bicycle racks on sidewalks. (Supervisors Katz, Bierman, Teng, Leal)

File 124-97-3, Ordinance No. 226-97

(Adds Section 219.3.)

(Exempt from environmental review.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Rita Louise Koester v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rita Louise Koester v. City and County by payment of \$40,000. (City Attorney)

File 45-97-38, Ordinance No. 214-97

(Superior Court No. 974-800.)

Finally passed.

[Eleanor Garcia v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Eleanor Garcia against the City and County by payment of \$9,750. (City Attorney)

File 45-97-39, Ordinance No. 215-97

(Superior Court No. 979-431.)

Finally passed.

[Franchesca Medina v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Franchesca Medina against the City and County by payment of \$9,000. (City Attorney)

File 45-97-40, Ordinance No. 216-97

(United States District Court No. C93-3910-MEJ.)

Finally passed.

[Hazel Rodgers v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Hazel Rodgers against the City and County by payment of \$25,000. (City Attorney)

File 45-97-41, Ordinance No. 217-97

(Superior Court No. 969-623.)

Finally passed.

[Shui Lan Tam/Hong On Lam v. CCSF]

Ordinance authorizing settlement of litigation of Shui Lan Tam and Hong On Lam v. City and County by payment of \$35,000. (City Attorney)

File 45-97-42, Ordinance No. 218-97

(Superior Court No. 967-883.)

Finally passed.

[Anthony Ramirez v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Anthony Ramirez against the City and County by payment of \$7,000. (City Attorney)

File 45-97-43, Ordinance No. 219-97

(Superior Court No. 974-039.)

Finally passed.

[Debra Walker v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Debra Walker against the City and County by payment of \$10,000. (City Attorney)

File 45-97-45, Ordinance No. 220-97

(Superior Court No. 975-901.)

Finally passed.

[City Attorney Conflict of Interest Code]  
Ordinance amending Administrative Code, to include attorneys assigned to work for the Port. (City Attorney)

File 97-97-23, Ordinance No. 224-97

(Amends Section 58.165.)

Finally passed.

Passed for Second Reading

[Stephina Waldon v. CCSF, et al.]  
Ordinance authorizing offer of compromise pursuant to California Code of Civil Procedure Section 998 in the litigation of Stephina Waldon v. City and County, in the amount of \$50,000 plus attorney's fees to date which shall be mediated and which shall not exceed \$30,000. (City Attorney)

File 45-97-44, Ordinance No.

(Superior Court No. 980-230.)

Passed for second reading.

[Slawomir Wymiarkiewicz v. CCSF]  
Ordinance authorizing settlement of litigation of Slawomir Wymiarkiewicz against the City and County by payment of \$195,000. (City Attorney)

File 45-97-46, Ordinance No.

(United States District Court Case No. C95-03644 CW.)

Passed for second reading.

[Mario Marckewordt v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Mario Marckewordt against the City and County by payment of \$12,000. (City Attorney)

File 45-97-47, Ordinance No.

(Superior Court No. 970-675.)

Passed for second reading.

[Adele Roberts v. CCSF, et al.]  
Ordinance authorizing settlement of employment discrimination claim of Adele Roberts against the City and County, Anthony Ribera, Thomas Murphy, Frank Reed, Forrest Fulton and Woodrow Tennant by payment of \$30,832.54. (City Attorney)

File 45-97-48, Ordinance No.

(United States District Court, Northern District of California No. C94-4153 CAL.)

Passed for second reading.

Adopted

[Settlement of Claim, Margarita Nosach]  
Resolution approving the settlement of the unlitigated claim of Margarita Nosach by payment of \$20,000. (City Attorney)

File 48-97-37, Resolution No. 546-97

Adopted.

Recommendations of Health, Family and Environment Committee

Adopted

[State Grant, Juvenile Drug Court Program]  
Resolution authorizing the San Francisco Trial Courts to retroactively apply for, accept and expend grant funding in the amount of \$17,355 from the Judicial Council of California to underwrite the cost of the Juvenile Drug Court Program for calendar year 1997. (Superior Court)

File 141-97-2, Resolution No. 555-97

Adopted.

[Federal Grant, Juvenile Drug Court Program]  
Resolution authorizing the San Francisco Trial Courts to retroactively apply for, accept and expend grant funding in the amount of \$19,955 from the Office of Justice Programs to underwrite the cost of planning the establishment of the Juvenile Drug Court Program for calendar year 1997. (Superior Court)

File 141-97-3, Resolution No. 556-97

Adopted.

[Grant, Child Support Enforcement Program]  
Resolution authorizing the Coordinated Court of the City and County to apply for, accept and expend grant funding in the amount of \$54,450 from the Judicial Council of California to underwrite the cost of Title IV-D Child Support Enforcement Program for the month of June, 1997. (Superior Court)

File 198-97-1, Resolution No. 561-97

Adopted.

[S.F. DPH-Mental Health Plan]  
Resolution authorizing the Department of Public Health Division of Mental Health, to assume responsibility for Medi-Cal authorization and payment of State/local match for all medically necessary mental health services for San Francisco Medi-Cal beneficiaries. (Department of Public Health)

File 30-97-7, Resolution No. 544-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Finance Committee Without Recommendation

Adopted as Amended

[Prop J Contract, Eviction Assistance Program]

Resolution approving the Controller's certification that the eviction assistance program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997, than if work were performed by City and County employees. (Sheriff)

File 25-97-4, Resolution No. 542-97

(Fiscal Impact.)

(May 12, 1997 - Consideration continued to June 2, 1997.)

Supervisor Ammiano, seconded by Supervisor Leal, moved to amend line 18 by adding another Further Resolved as follows: "Further Resolved, That no contract for services in the administration or provision of eviction assistance operations in the City shall be approved unless the proposed contractor is in compliance with the provisions of Chapter 12B, including the City's Equal Benefits Ordinance."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Restaurants on Second Floor]

Ordinance amending Planning Code, by adding a special provision to Section 722.42 and amending the associated chart set forth in Section 722 to allow full-service restaurants on the second floor of buildings in the North Beach Neighborhood Commercial District as a conditional use under certain specified circumstances; adopting findings pursuant to Section 101.1. (Supervisors Kaufman, Teng, Bierman, Katz, Medina, Brown)

File 115-97-2, Ordinance No. 225-97

(City Planning Resolution No. 14358; Certificate of Determination of Exemption/Exclusion from Environmental Review dated March 3, 1997.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

In connection with the above item, Supervisors Teng, Bierman, Katz, Medina, Brown requested to be added as co-sponsors.

Recommendation of Rules Committee

Finally Passed

[Tobacco Litigation Settlement Agreement]

Ordinance approving settlement with Liggett Group in People v. Philip Morris Co., et al.; City and County of San Francisco, et al. v. Philip Morris. (City Attorney)

File 194-97-4, Ordinance No. 227-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Commission on Aging]

Ordinance appropriating \$75,000, Commission on the Aging, for professional services to provide citizenship education programs to senior citizens, from General Fund Reserve. (Supervisors Yaki, Teng, Bierman, Brown, Katz)

File 101-96-67, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Bierman, Brown, Katz requested to be added as co-sponsors.

[Appropriation, City Attorney]

Ordinance appropriating \$943,100, City Attorney, of Correctional Facilities Improvement Funds (revenue from a settlement), to salaries, fringe benefits and litigation costs to defend the City against a claim concerning the new Sheriff's facility for fiscal year 1996-97; placing \$170,000 on reserve. (Controller)

File 101-96-76, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Municipal Railway]

Ordinance appropriating \$3,367,529, Municipal Railway, of Municipal Railway Operating Funds (fare, toll and subvention revenue), to fund a projected shortfall in Workers' Compensation for fiscal year 1996-97. (Controller)

File 101-96-77, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Police Department]

Ordinance appropriating \$660,903, \$127,519 from General Fund Revenue, and \$533,384 from interest earned on 1987 Police Facilities Improvement Bonds, to capital improvement project to allow the Police Department to complete construction of the Mission, Taraval and Park Stations for fiscal year 1996-97. (Controller)

File 101-96-78, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$1,195,000, Sheriff's Department, from the General Fund Reserve for salaries, fringe benefits, professional services and services of other departments for the creation of one (1) position for preplanning costs related to the replacement of County Jail Number Three for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-81, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, Sheriff's Department]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), Sheriff's Department, reflecting the creation of one (1) position (Class 1370 Special Assistant XI); companion measure to File 101-96-81. (Department of Human Resources)



File 102-96-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appropriation, Dept of Building Inspection]  
Ordinance appropriating \$398,000, Department of Building Inspection, from the Building Inspection Fund for salaries, fringe benefits, facilities maintenance, materials and supplies and equipment for the creation of ten (10) positions to improve permitting services and transmit plans electronically to Planning Department for fiscal year 1996-97; placing \$190,000 on reserve. (Supervisors Leal, Katz, Bierman, Brown)

File 101-96-82, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

In connection with the above item, Supervisors Katz, Bierman, Brown requested to be added as co-sponsors.

[Salary Ordinance Amendment, Department of Building Inspection]  
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), Building Inspection Department, reflecting the creation of ten (10) positions (Class 1374 Special Assistant XV (1); 1372 Special Assistant XIII (4); AA43 Permit Clerk II (4); 1446 Secretary II (1); companion measure to File 101-96-82. (Supervisors Leal, Katz, Bierman, Brown)

File 102-96-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

In connection with the above item, Supervisors Katz, Bierman, Brown requested to be added as co-sponsors.

[Fiscal Impact]  
Ordinance amending Administrative Code, which requires that legislation which has a fiscal impact be reviewed by the fiscal committee of the Board of Supervisors, to amend the definition of fiscal impact to apply when an expenditure or commitment of city funds exceeds \$200,000 in any fiscal year, or \$1,000,000 over a five-year period. (Supervisor Kaufman)

File 97-97-15, Ordinance No.

(Amends Section 2.6-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Specialized Motor Vehicles for Hire]  
Ordinance amending Police Code to amend the definition of taxicab and ramped taxi and providing for the issuance of permits and the operation and regulation of specialized motor vehicles for hire (ramped taxi). (Supervisors Ammiano, Bierman)

File 121-97-1, Ordinance No.

(Amends Section 1076;  
Adds Sections 1148 through 1148.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Adopted

[Sale of Surplus Property]

Resolution authorizing the sale of 3,014 square feet of land of Water Department surplus real property located in Sunol, Alameda County to the State of California for \$2,500. (Real Estate Department)

File 96-97-3, Resolution No. 551-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Official Newspaper for Fiscal Year 1997-98]

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for specified categories of official advertising commencing July 1, 1997. (Purchasing Department)

File 112-97-1, Resolution No. 552-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as Amended

[Official Newspaper for Fiscal Year 1997-98]

Resolution designating the San Francisco Examiner to be official newspaper of the City and County of San Francisco for specified categories of advertising, commencing July 1, 1997. (Purchasing Department)

File 112-97-2, Resolution No. 553-97

Supervisor Katz, seconded by Supervisor Ammiano, moved to amend line 20 by adding another Further Resolved clause as follows: "Further Resolved, That no contract for services as the City's Official Newspaper shall be approved unless the proposed contractor is in compliance with the provisions of Chapter 12B, including the City's Equal Benefits Ordinance."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[MUNI Trolley Bus Contract]

Resolution approving the award of Municipal Railway Contract Proposal No. 888 for procurement of articulated and standard trolley coaches to Electric Transit Incorporated, in an amount not to exceed \$168,752,888. (Public Transportation Commission)

File 172-97-27, Resolution No. 560-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[CEQA Findings and General Plan Amendments]

Resolution approving amendments to the San Francisco General Plan in order to approve acquisition of Lot 67 in Assessor's Block 2923 and lots 10, 11, 12, 13 and 21 in Assessor's Block 2934 known as Edgehill Mountain Open Space Extension, and Lot 2 in Assessor's Block 4061, known as Esprit Park, by the City and County, for enlargement of one public open space and establishment of a new public park. (Planning Department, Supervisors Teng, Bierman, Brown)

File 271-97-4, Resolution No. 565-97

(May 1, 1997 - Adopted by Planning Commission by Resolution No. 14363 incorporating findings pursuant to the California Environmental Quality Act.

(General Rule Exclusion, State Guidelines, Section 15061(b)(3), from Environmental Review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Bierman, Brown requested to be added as co-sponsors.

[Park and Open Space Fund, 1997-98]

Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1997-1998, reserving approval or disapproval on specific acquisitions; companion measure to File 271-97-4. (Recreation and Park Department, Teng, Brown)

File 168-97-1, Resolution No. 558-97

(May 1, 1997 - Adopted by Planning Commission Resolution 14364 finding the project in conformity with the General Plan.)

(General Rule Exclusion from Environmental Review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Brown requested to be added as co-sponsors.

Recommendation of Finance Committee and  
Recommendation of Economic Development, Transportation  
and Technology Committee and

Adopted

[Affinity Phone Card]

Resolution authorizing the City Administrator to enter into an amendment to operating and licensing agreement for the San Francisco Affinity Phone Card program. (Supervisor Bierman)

File 172-97-25, Resolution No. 559-97

(May 20, 1997 - Transferred from Economic Development, Transportation and Technology Committee for Fiscal Impact review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Health, Family and Environment Committee

Adopted

[Santa Clara County Receipt]

Resolution authorizing retroactively, the City Administrator of the City and County to accept and expend \$33,000 from Santa Clara County, for waste prevention educational materials. (City Administrator, Brown)

File 133-97-4, Resolution No. 554-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

Recommendations of Rules Committee

Passed for Second Reading

[Joint Fundraising Drive]

Ordinance amending Administrative Code, to allow explicitly any Mayor's Fund created to further social causes to participate in the Annual Joint Fundraising Drive, and to provide that these Mayor's Funds may be authorized to participate in the 1997 Annual Joint Fundraising Drive. (Mayor Willie L. Brown, Jr.)

File 97-97-16, Ordinance No.

(Amends Section 16.93-2 and Section 16.93-4.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Conflict of Interest Code, Health Authority]

Ordinance amending Administrative Code, to specify financial disclosure requirements for members and employees of the San Francisco Health Authority. (S. F. Health Authority)

File 97-97-28, Ordinance No.

(Adds Section 58.218.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Adopted

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged and/or stolen in the line of duty; one claim in the amount of \$380.00. (Controller)

File 51-96-4.2, Resolution No. 530-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged and/or stolen in the line of duty; eleven claims in the amount of \$1,162.55. (Controller)

File 51-97-1, Resolution No. 547-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appointment]

Resolution appointing member to the Airport Noise Committee, for new three-year term ending September 30, 1999. (Rules Committee)

File 92-96-45.2, Resolution No. 531-97

(Marie Cram, vice Daniel Liberthson, Seat No. 20511, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appointments]

Resolution appointing members to the County Treasury Oversight Committee, for four-year terms. (Supervisor Kaufman)

File 92-97-10, Resolution No. 529-97

(Supervisor Susan Leal, Board of Supervisors;  
Edward Harrington, County Controller;  
William Coleman, Designee of County Superintendent of Schools;  
Leo Fermin, member of the public;  
Richard A. Sullivan, Tax Collector, member of the public.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appointments]

Resolution appointing members to the Commission on Animal Control and Welfare, terms expired, for new two-year terms ending April 30, 1999. (Rules Committee)

File 92-97-15, Resolution No. 548-97

(Althea T. Kippes, vice herself, Seat No. 20705, public-at-large;  
Richard W. Schulke, vice himself, Seat No. 20706, public-at-large;  
Eva Hue, vice Lorraine Lucas, Seat No. 20704, public-at-large;  
Nola Chow, vice Vickie Ho Lynn, Seat No. 20703, public-at-large.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appointments]

Resolution appointing members to the Veterans Affairs Commission, terms expired. (Rules Committee)

File 92-97-23.1, Resolution No. 549-97

(Leonard M. Grube, vice Henry I. Leleu, Seat No. 23801, public-at-large, for new four-year term ending January 31, 1999;  
John S. Griswold, vice Paul D. Hardman, Seat No. 23802, public-at-large, for new four-year term ending January 31, 2001;  
Wade Woods, vice Maceo A. May, Seat No. 23804, public-at-large, for new four-year term ending January 31, 2001;  
Charles K. Coolidge, Jr., vice Lino Zamacona, Seat No. 23807, public-at-large, for new four-year term ending January 31, 1999;  
Glenn Raswyck, vice Robert W. Racobs, Seat No. 23809, public-at-large, for new four-year term ending January 31, 2000.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Appointment]

Resolution appointing representative of the Board of Supervisors to the Economic Opportunity Council of San Francisco, for an indefinite term. (Rules Committee)

File 92-97-24, Resolution No. 550-97

(Supervisor Amos Brown, vice Willie B. Kennedy, Seat No. 11201.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

SPECIAL ORDER 3:00 P.M.

Presentation made

Mayor's presentation of the 1997-1998 Budget.

File 100-97

Mayor Willie L. Brown, Jr. appeared and spoke briefly on the proposed 1997-1998 Budget indicating that it contains no layoffs, no cuts, no tax increase and was able to increase funding for health care, street cleaning, police services, Municipal Railway and the Recreation and Park Department.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Constance Kuruppu, civil disobedience;  
Al Rose, supports stadium proposal;  
Irene Crohn, live animal market;  
John, stadium proposal;  
Male speaker, Mayor's Budget, funds owed him;  
Tomasita Medal, DeYoung Museum.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

["No Sweatshop Conditions" Policy]  
Resolution establishing a "No Sweatshop Conditions" policy statement for the City and County and establishing the criteria for "No Sweatshop Conditions." (Supervisors Teng, Bierman, Medina, Katz)

File 43-97-03, Resolution No. 545-97

(May 27, 1997 - Consideration continued to June 2, 1997.)

Supervisor Teng, seconded by Supervisor Leal, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

In connection with the above item, Supervisors Medina, Katz requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Resources for Youth Month]  
Resolution proclaiming June 1997 "Resources for Youth" Month. (Supervisors Yee, Bierman, Brown, Katz)

File 4-97-25, Resolution No. 532-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisors Brown, Katz requested to be added as co-sponsors.

[Proclaim Jeanette Kim Day]

Resolution recognizing three plus decades of being strong enough to care and proclaiming May 30, 1997 as "Jeanette Kim Day". (Supervisors Yee, Bierman, Katz)

File 4-97-26, Resolution No. 533-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend Jim Delfino]

Resolution commending Jim Delfino for his outstanding work at the San Francisco Recreation and Park Department as an area supervisor in the Turf Management Division. (Supervisors Newsom, Bierman, Katz)

File 6-97-103, Resolution No. 534-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commend Chancellor Chang-Lin Tien]

Resolution commending University of California Berkeley Chancellor Chang-Lin Tien on his distinguished life-time achievements and declaring June 30, 1997 as "Chancellor Chang-Lin Tien Day" in San Francisco. (Supervisors Teng, Yaki, Bierman, Leal, Brown, Katz)

File 6-97-104, Resolution No. 535-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal, Brown, Katz requested to be added as co-sponsors.

[Commend Elizabeth S. McClintock]

Resolution commending Dr. Elizabeth S. McClintock for receiving the 1997 Emily Prettyman Lowell Award for her outstanding contributions to the San Francisco Urban Forest. (Supervisors Yaki, Leal, Bierman, Katz)

File 6-97-105, Resolution No. 536-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Katz requested to be added as co-sponsors.

[State of Maine]

Resolution declaring support for the State of Maine for passing a bill outlawing discrimination on the basis of sexual orientation with regards to employment, credit, housing and public accommodations. (Supervisors Ammiano, Bierman, Katz)

File 13-97-22, Resolution No. 541-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Grant, State Funds, Police]

Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of \$100,000 for a project known as the "Suppression of Drug Abuse in the Schools", and rescinding Resolution No. 421-97. (Supervisors Ammiano, Bierman, Leal, Brown, Katz)

File 143-97-3, Resolution No. 557-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown, Katz requested to be added as co-sponsors.

[School Literacy Campaign]

Resolution encouraging all San Franciscans to join the Literacy Campaign and donate new or used children's books to San Francisco Elementary Schools before the end of the school year. (Supervisors Teng, Bierman, Brown, Katz)

File 211-97-2, Resolution No. 562-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz requested to be added as co-sponsors.

[Nurses with Bilingual Capabilities]

Resolution urging the San Francisco Unified School District to allow the registered nurses with bilingual capabilities to continue their present arrangement and to expand the collaboration with the Department of Public Health so that the San Francisco children and youth will benefit from complete and comprehensive health care. (Supervisor Teng, Bierman, Medina, Katz)

File 211-97-3, Resolution No. 563-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Medina, Katz requested to be added as co-sponsors.

[Automobile Subsidy Analysis]

Resolution expressing support for a San Francisco Automobile Subsidy Analysis and requesting the Mayor's Budget Office, City Departments and the Transportation Authority support the analysis and cooperate with the study team. (Supervisors Bierman, Katz)

File 258-97-1, Resolution No. 564-97

(May 27, 1997 - Introduced in Board for consideration on June 2, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:



Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Imperative Resolutions]

Adopted

[Commend Faith Fancher]

Resolution recognizing the courage and integrity of Faith Fancher.

File 006-97-106, Resolution No. 537-97

Supervisors Katz, Brown, Newsom, Teng, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Commend Commander Alfred B. Elkins]

Resolution commending Commander Alfred B. Elkins for his remarkable contribution to the City and County of San Francisco in the transition of Hunters Point Naval Shipyard and Treasure Island, and declaring June 5, 1997 "Commander Alfred B. Elkins Day" in San Francisco.

File 006-97-107, Resolution No. 538-97

Supervisor Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Commend Father Peter Sammon]

Resolution commending Father Peter Sammon on the 50th anniversary of his ordination for his many contributions in promoting kindness and caring to the citizens of San Francisco.

File 006-97-108, Resolution No. 539-97

Supervisor Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Commend Youth Credit Union Program]

Resolution commending the Youth Credit Union on the occasion of its grand opening and proclaiming June 7, 1997 as "Youth Credit Union Day".

File 006-97-109, Resolution No. 540-97

Supervisors Medina, Katz, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Pacific Gas & Electric Company v. City and County and other putative claims of City and County and Pacific Gas and Electric Company, as more fully set forth in Master Settlement Agreement, for payment by Pacific Gas and Electric Company to City and County of the sum \$132,494 and other valuable consideration; companion measure to Files 123-97-4 and 259-97-1. Supervisor Leal presented. Referred to Finance Committee.

File 045-97-050.

Referred to Board

[Hunters Point Shipyard Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area. Supervisor Yaki presented. Referred to Board sitting as a Committee of the Whole July 7, 1997, Special Order 3:00 p.m.

File 071-97-001.

Referred to Committee

[MOU, Arbitrator's Award, Local 21]

Ordinance implementing the provisions of an arbitrator's award dated May 27, 1997 between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, and the City and County of San Francisco providing for the arbitrable terms of implementation of the IT Study. Supervisor Kaufman presented. Referred to Finance Committee.

File 093-97-006.01.

[MOU, MEA, Bargaining Units M and EM]

Ordinance adopting and implementing the provisions of an amendment regarding pay for performance to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association for Bargaining Units M and EM for the period July 1, 1997 through June 30, 1998. (Also see File 93-97-35). Mayor Willie L. Brown presented. Referred to Finance Committee.

File 093-97-043.

[MOU, Local 790, Staff Nurse/Per Diem Nurses]

Ordinance adopting and implementing the terms of a Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County of San Francisco for Staff Nurse and Per Diem Nurses to be effective July 1, 1997 through June 30, 2000. (Also see File 93-97-8). Mayor Willie L. Brown presented. Referred to Finance Committee.

File 093-97-044.

[MOU, Local 856, Bargaining Unit 118]

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856 and the City and County of San Francisco for Bargaining Unit 118, Supervising Registered Nurses, for the period July 1, 1997 through June 30, 1998. Mayor Willie L. Brown presented. Referred to Finance Committee.

File 093-97-045.

[MOU, Locals 790, 535, and 250]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535, and 250 and the City and County of San Francisco to be effective for the period July 1, 1997 through June 30, 2000. Supervisor Bierman presented. Referred to Finance Committee.

File 093-97-046.

[Nondiscrimination, Contract, Property Contract]

Substitute ordinance amending Administrative Code Sections 12B.1, 12B.5-1, 12C.5-1, 12B.6 and 12C.6 to amend the definition of "contract" under Chapter 12B to exclude from the scope of Chapter 12B those contracts entered into after June 1, 1997 pursuant to settlement of legal proceedings and contracts for urgent litigation expenses; to include "property contracts" in subsections (A)(2) and (D) of Sections 12B.5-1 and 12C.5-1; to provide for waiver of Chapters 12B and 12C by the Director of Human Rights Commission for specialized litigation requirements; and to amend Section 12B.6 and Section 12C.6 to clarify the proper construction of Chapter 12B in relation to Federal or State laws. Supervisors Katz, Ammiano, Leal, Bierman presented. Referred to Health, Family and Environment Committee.

File 097-97-021.01.

[Assessments for Undergrounding]

Ordinance amending Public Works Code Section 929 to allow assessments for undergrounding to be paid in a single lump sum or ten installments during a five year period; companion measure to Files 45-97-50 and 259-97-1. Supervisor Leal presented. Referred to Finance Committee.

File 123-97-004.

[Hotel Tax Reallocation]

Substitute ordinance amending Part III by amending Section 515.01 to allocate a portion of hotel tax funds to the city-owned cultural centers. Supervisor Bierman presented. Referred to Finance Committee.

File 127-97-004.

[Hotel Tax Technical Amendments]

Substitute ordinance amending Part III by amending Section 515 and adding Section 515.01 to make technical amendments to clarify the allocation of revenues derived from the tax imposed by Section 502. Supervisor Bierman presented. Referred to Finance Committee.

File 127-97-005.

[Hotel Tax Fund Allocation]

Ordinance amending Municipal Code, Part III, by amending Section 515.01 to allocate a portion of Hotel Tax Funds to the Mayor's Office of Protocol. Mayor Willie L. Brown presented. Referred to Finance Committee.

File 127-97-006.

[Street Vacation, Jurisdictional Transfer]

Ordinance ordering the vacation of a portion of Treat Avenue west of Alabama Street and north of 15th Street and transferring jurisdiction from Department of Public Works to Department of Animal Care and Control and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-97-2. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 164-97-002.01.

Referred to Board

[Treasure Island Homeless Development Initiative]

Resolution endorsing an amendment to base closure homeless assistance agreement and authorizing transfer of personal property to Treasure Island Homeless Development Initiative. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997.

File 244-96-007.01.

[Commend Lawrence B. Martin]

Resolution commending Lawrence B. Martin on his accomplishments with the success and future of the labor movement as well as justice and dignity in the San Francisco community. Supervisors Teng, Brown, Katz, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997

File 006-97-110.

[Commend Small Business Network]

Resolution commending the Small Business Network, and declaring June 1st through June 7th as "Small Business Week" in the City and County of San Francisco. Supervisors Teng, Yaki, Katz, Kaufman, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997.

File 006-97-111.

[Hong Kong New Era Day]  
Resolution declaring July 1, 1997 as "Hong Kong New Era Day" in the City and County of San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997.

File 006-97-112.

[Commend Edith Pearl Mc Donald/Garnet Smith]  
Resolution commending Edith Pearl Mc Donald and Garnet Smith on their 50th wedding anniversary. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1996.

File 006-97-113.

[Commend Japanese Cultural Community Center]  
Resolution commending the Planning Committee of the Japanese Cultural Community Center of Northern California in having executed an outstanding job in celebrating the 40th year anniversary of the San Francisco/Osaka Sister City relationship. Supervisors Brown, Katz, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997.

File 006-97-114.

Referred to Committee

[Substance Abuse Treatment on Demand]  
Resolution supporting the Department of Public Health "Substance Abuse Treatment On Demand: First Steps Plan" to guide the augmentation of alcohol and drug services in fiscal year 1997-98. Supervisor Leal presented. Referred to Health, Family and Environment Committee.

File 030-97-010.

[Sutter/CHS Corporation]  
Resolution calling on the Mayor and the Health Commission to critically review any proposed contracts with Sutter/CHS Corporation. Supervisor Amiano presented. Referred to Health, Family and Environment Committee.

File 030-97-011.

[Undergrounding Plan Development]  
Resolution requesting the development of an alternative plan for overhead wire undergrounding by the Department of Public Works and the General Manager, Public Utilities Commission. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 052-97-001.

[Street Vacation, Treat Avenue]  
Resolution declaring intention of the Board of Supervisors to vacate a portion of Treat Avenue west of Alabama Street and north of 15th Street and setting the hearing date of all persons interested in the proposed vacation; companion measure to File 164-97-2.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 164-97-002.

[PILOT - Contribution to Housing Authority]  
Resolution authorizing contribution by City and County of San Francisco to the Housing Authority of the City and County of San Francisco by waiving Payments in Lieu of Taxes (PILOT) for fiscal years 1990-91, 1991-92, 1992-93, 1994-95, and 1995-96. Mayor Willie L. Brown presented. Referred to Finance Committee.

File 206-97-003.

[Name Gymnasium for Thomas Kim]  
Resolution urging the Board of Education to name the gymnasium at Francisco Middle School in honor of Mr. Thomas Kim. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997.

File 211-97-004.

[Bay Area Partnership]

Resolution expressing the support of the Board of Supervisors in participation in the Bay Area Partnership: Building Healthy and Self-sufficient Communities for Economic Prosperity. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997.

File 260-97-001.

[Pacific Gas and Electric Company]

Resolution approving the use by the Pacific Gas and Electric Company for utility purposes those fiber optic facilities constructed, laid and used pursuant to the gas and electric franchises (Ordinance Nos. 413 and 414 (Series 1939), respectively); companion measure to Files 45-97-50 and 123-97-4. Supervisor Leal presented. Referred to Finance Committee.

File 259-97-001.

Request for Hearings:

[Taxicab Industry]

Hearing to consider the status of the taxicab industry. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 015-97-003.

[Nor-Cal]

Hearing to consider Nor-Cal and its relationship with neighbors in the community of Little Hollywood. Supervisors Ammiano, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 057-97-002.

[Tax Collection Procedures]

Hearing to consider establishing new methods for monitoring collection of parking taxes and determining the inventory of revenue producing off-street parking and creation of a senior investigator/auditor position in the Tax Collector's office to provide oversight of collection efforts. Supervisor Leal presented. Referred to Finance Committee.

File 166-97-002.

[Sexual Harassment and Discrimination]

Hearing to consider the allegation of harassment and discrimination in the Department of Public Works and Public Utilities Commission. Supervisors Teng, Katz presented. Referred to Health Committee.

File 178-97-001.

[Housing Authority]

Hearing to receive input from residents of San Francisco Housing Authority regarding safety, quality of life and other concerns. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 206-97-004.

[Youth Empowerment Conference Survey]

Hearing to consider the results of the survey of San Francisco youth taken at the San Francisco Youth Empowerment Conference. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 215-97-005.01.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar June 9, 1997.

File 030-97-001.10.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 093-97-036. [MOU, Mediated Agreement, Bargaining Unit 1IAA] Ordinance implementing the provisions of a mediated agreement between the United Association of Physicians and Dentists and the City and County of San Francisco for Bargaining Unit IIAA to be effective July 1, 1997. (Department of Human Resources) Referred to Finance Committee.

File 093-97-037. [MOU, Mediated Agreement, Bargaining Unit 8CC] Ordinance implementing the provisions of a mediated agreement between the United Association of Physicians and Dentists and the City and County of San Francisco for Bargaining Unit 8CC to be effective July 1, 1997. (Department of Human Resources) Referred to Finance Committee.

File 093-97-038. [MOU, Mediated Agreement, DA Investigators] Ordinance implementing the provisions of a mediated agreement between the District Attorney Investigators Association and the City and County of San Francisco for the period July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-039. [MOU, Mediated Settlement, Local 21] Ordinance implementing the provisions of a mediated settlement adopted by the arbitration panel dated May 27, 1997 amending the provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County of San Francisco for the period July 1, 1997 through June 30, 1998. Referred to Finance Committee.

File 093-97-040. [Amendment to MOU, Local 250-A] Ordinance amending Ordinance No. 223-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco regarding wages to be effective July 1, 1997 through June 30, 1998. (Also see File 93-95-36.1). (Department of Human Resources) Referred to Finance Committee.

File 093-97-041. [Amendment to MOU, Local 200 (S.E.A.M.)] Ordinance amending Ordinance No. 233-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 200 (S.E.A.M.) and the City and County of San Francisco regarding wages to be effective for the period July 1, 1997 through June 30, 1998. (Also see Files 93-95-46 and 93-95-46.1). (Department of Human Resources) Referred to Finance Committee.

File 093-97-042. [Amendment to MOU, Local 250-A (Multi Unit)] Ordinance amending Ordinance No. 234-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 250-A (Multi-Unit), and the City and County of San Francisco regarding wages to be effective for the period July 1, 1997 through June 30, 1998. (Also see File 93-95-47). (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 040-97-010. [Residential Parking Area "S", Duboce Triangle] Resolution revising the time limitations within Residential Permit Parking Area "S" in the Duboce Triangle Area. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 061-97-002. [Contract Award Extension] Resolution granting extension of time for award for Hetch Hetchy Water & Power Contract No. WP-10, Protective Relay Installation Specification No. M031911. (Public Utilities Commission) Referred to Economic Development Transportation and Technology Committee.

File 170-97-004. [Airport Leases; Airport Revenue Bonds] Resolution approving the fuel system lease by and between the City and County of San Francisco acting through its Airport Commission and SFO Fuel Company LLC; approving early termination of a lease between the City and County of San Francisco acting through its Airport Commission and Chevron U.S.A.; approving the issuance of up to \$125,000,000 aggregate principal amount of San Francisco International Airport Special Facilities Lease Revenue Bonds (SFO Fuel Company LLC) in one or more series for the purpose of financing certain fuel system improvements at San Francisco International Airport; approving the maximum interest rate thereon and the Trust Agreement related thereto; and providing for the delegation of certain matters to the Airport Commission. (Airport Commission) Referred to Finance Committee.

File 170-97-005. [Airport Revenue Bonds] Resolution approving the issuance of up to \$400,000,000 aggregate principal amount outstanding at any one time of San Francisco International Airport Subordinate Commercial Paper Notes in one or more series for the purpose of financing and refinancing certain capital improvements at San Francisco International Airport; approving the maximum interest rate thereon; approving the issuance of up to \$435,506,850 aggregate principal amount outstanding at any one time of San Francisco International Airport Subordinate Revenue Notes in one or more series; and approving the maximum interest rate thereon. (Airport Commission) Referred to Finance Committee with request it be considered at a special meeting of June 11, 1997.



File 170-97-006. [BART/Airport Agreements; Airport Revenue Bonds] Resolution approving the Development Agreement, the lease and the West of Bayshore Easement Agreement between BART and the City and County of San Francisco through its Airport Commission; approving the issuance of up to \$220,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds in one or more series for the purpose of financing certain capital improvements at San Francisco International Airport and approving the maximum interest rate thereon. (Also see Files 27-96-13 and 27-96-13.1). (Airport Commission) Referred to Finance Committee.

File 172-97-039. [Archeological Curation Agreement] Resolution requesting approval of the agreement for curation services with the C. E. Smith Museum of Anthropology for a term of 30 years at a total cost not to exceed \$15,000. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that Clerk send letter to the Mayor and department heads notifying them that the Board of Supervisors will be on recess from August 26, 1997 through September 14, 1997 and all meetings of the full Board and committees will be cancelled during this period. Department employees would be aware of this as they consider their future deadlines and need for legislation.

By Supervisor Yee, that letter be sent to the San Francisco Housing Authority requesting status report on what actions, if any, the Housing Authority has taken on the recommendations forwarded by the Human Rights Commission in the April, 1995 Findings and Recommendations.

By Supervisors Ammiano, Katz, that City Attorney review and prepare appropriate legislation establishing City policy for all offices, agencies and departments to consider when booking air travel arrangements that United Airlines not be used unless no other airline is available.

By Supervisors Ammiano, Bierman, that letter be sent to his Honor, Mayor Brown, urging him to award the San Francisco Medal of Merit to Joan Marie Shelley for her civic, educational, community and labor related leadership.

By Supervisor Ammiano, that letter of inquiry be sent to Chief of Police regarding the circumstances surrounding the issuance of a permit to the religious organization, the Jehovah Witnesses, for a table of religious literature, in front of the Department of Motor Vehicles located on Fell and Baker Streets and what is the Department's policy on free speech and hate crimes committed by organizations that petition for public permits.

By Supervisor Katz, that letter of inquiry be sent to the Budget Analyst to determine if his reports can include information on whether each contractor has been certified by the Human Rights Commission as complying with the Equal Benefits Ordinance.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Mark Huckaby (Supervisor Leal)

File 2-97-22

Unanimously adopted by a rising vote.

Monday, June 2, 1997

ADJOURNMENT

There being no further business, the Board at the hour of 4:18 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 18, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



SF  
C90  
# 72  
6/9/97

Monday, June 9, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 9, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Bierman, Leal, Medina - 3.

Quorum present.

Supervisor Bierman excused. (See infra.)

Supervisor Leal was noted present at 2:03 p.m.

Supervisor Medina excused. (See infra.)

Supervisors Bierman and Medina Excused

The Clerk stated Supervisors Bierman and Medina requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Brown, moved to excuse Supervisors Bierman and Medina from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Leal, Bierman, Medina - 3.

COMMUNICATION

The Clerk presented the following communication from the Honorable Mayor Willie L. Brown, Jr.:

June 6, 1997

Mr. John Taylor  
Clerk of the Board  
San Francisco Board of Supervisors  
401 Van Ness Avenue  
San Francisco, CA 94102

Dear Mr. Taylor:

Charter section 4.132 requires the Mayor to notify the Board of Supervisors of executive branch reorganizations. My FY 97-98 Proposed Budget, which was transmitted to the Board of Supervisors on June 1st, includes several reorganizations which I am writing to further highlight.

The Emergency Medical Services Division, formerly a part of the Health Department, will be transferred to the Fire Department. The Board has already acted on legislation separate from the budget to enable the City to begin this reorganization.

Charter sections 6.101 and 18.105 require the Recorder's functions, currently a division of the Office of the Clerk-Recorder, to be transferred to the Assessor's Office, which will become the Office of the Assessor-Recorder. As a result, I have proposed to transfer the County Clerk functions, also a current division of the Office of the Clerk-Recorder, to the Department of Administrative Services.

Monday, June 9, 1997

The Airport Police unit, formerly under the jurisdiction of the San Francisco International Airport, is being transferred to the Police Department.

The Moscone Expansion Project, formerly in the Mayor's Office, is being transferred to the Department of Public Works.

Thank you for your consideration of these reorganizations. My staff and departmental staff will be available during the Board's budget deliberations to answer any questions you may have regarding these changes.

Sincerely

Willie L. Brown, Jr.  
Mayor

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Commission on Aging]

Ordinance appropriating \$75,000, Commission on Aging, for professional services to provide citizenship education programs to senior citizens, from General Fund Reserve. (Supervisors Yaki, Teng, Bierman, Brown, Katz)

File 101-96-67, Ordinance No. 228-97

(Fiscal Impact.)

Finally passed.

[Appropriation, Human Rights Commission]

Ordinance appropriating \$151,876, Human Rights Commission, from the General Fund Reserve for professional services to conduct a disparity study of minority and women business utilization in fiscal year 1996-97. (Controller)

File 101-96-75, Ordinance No. 229-97

Finally passed.

[Appropriation, City Attorney]

Ordinance appropriating \$943,100, City Attorney, of Correctional Facilities Improvement Funds (revenue from a settlement), to salaries, fringe benefits and litigation costs to defend the City against a claim concerning the New Sheriff's Facility for fiscal year 1996-97; placing \$170,000 on reserve. (Controller)

File 101-96-76, Ordinance No. 230-97

Finally passed.

[Appropriation, Municipal Railway]

Ordinance appropriating \$3,367,529, Municipal Railway, of Municipal Railway Operating Funds (fare, toll and subvention revenue), to fund a projected shortfall in Workers' Compensation for fiscal year 1996-97. (Controller)

File 101-96-77, Ordinance No. 231-97

Finally passed.

[Appropriation, Police Department]

Ordinance appropriating \$660,903, \$127,519 from General Fund Revenue, and \$533,384 from interest earned on 1987 Police Facilities Improvement Bonds, to capital improvement project to allow the Police Department to complete construction of the Mission, Taraval and Park Stations for fiscal year 1996-97. (Controller)

File 101-96-78, Ordinance No. 232-97

Finally passed.

[Appropriation, DA/Juvenile Probation/DPT/DHR]

Ordinance appropriating \$1,538,222, from the General Fund Reserve to Workers' Compensation and professional services, to address projected budget shortfalls at the District Attorney, Juvenile Probation, Parking and Traffic, and Human Resources departments for fiscal year 1996-97. (Controller)

File 101-96-80, Ordinance No. 234-97

Finally passed.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$1,195,000, Sheriff's Department, from the General Fund Reserve for salaries, fringe benefits, professional services and services of other departments for the creation of one (1) position for preplanning costs related to the replacement of County Jail Number Three for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-81, Ordinance No. 235-97

Finally passed.

[Salary Ordinance Amendment, Sheriff's Department]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), Sheriff's Department, reflecting the creation of one (1) position (Class 1370 Special Assistant XI); companion measure to File 101-96-81. (Department of Human Resources)

File 102-96-17, Ordinance No. 237-97

Finally passed.

[Appropriation, Dept of Building Inspection]

Ordinance appropriating \$398,000, Department of Building Inspection, from the Building Inspection Fund for salaries, fringe benefits, facilities maintenance, materials and supplies and equipment for the creation of ten (10) positions to improve permitting services and transmit plans electronically to Planning Department for fiscal year 1996-97; placing \$190,000 on reserve. (Supervisors Leal, Katz, Bierman, Brown)

File 101-96-82, Ordinance No. 236-97

Finally passed.

[Salary Ordinance Amendment, Department of Building Inspection]

Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97), Building Inspection Department, reflecting the creation of ten (10) positions (Class 1374 Special Assistant XV (1); 1372 Special Assistant XIII (4); AA43 Permit Clerk II (4); 1446 Secretary II (1); companion measure to File 101-96-82. (Supervisors Leal, Katz, Bierman, Brown)

File 102-96-18, Ordinance No. 238-97

Finally passed.

[Fiscal Impact]

Ordinance amending Administrative Code, which requires that legislation which has a fiscal impact be reviewed by the fiscal committee of the Board of Supervisors, to amend the definition of fiscal impact to apply when an expenditure or commitment of City funds exceeds \$200,000 in any fiscal year, or \$1,000,000 over a five-year period. (Supervisor Kaufman)

File 97-97-15, Ordinance No. 243-97

(Amends Section 2.6-3.)

Finally passed.

[Specialized Motor Vehicles for Hire]

Ordinance amending Police Code to amend the definition of taxicab and ramped taxi and providing for the issuance of permits and the operation and regulation of specialized motor vehicles for hire (ramped taxi). (Supervisors Ammiano, Bierman)

File 121-97-1, Ordinance No. 246-97

(Amends Section 1076;

Adds Sections 1148 through 1148.5.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Stephina Waldon v. CCSF, et al.]

Ordinance authorizing offer of compromise pursuant to California Code of Civil Procedure Section 998 in the litigation of Stephina Waldon v. City and County, in the amount of \$50,000 plus attorney's fees to date which shall be mediated and which shall not exceed \$30,000. (City Attorney)

File 45-97-44, Ordinance No. 239-97

(Superior Court No. 980-230.)

Finally passed.

[Slawomir Wymiarkiewicz v. CCSF]

Ordinance authorizing settlement of litigation of Slawomir Wymiarkiewicz against the City and County by payment of \$195,000. (City Attorney)

File 45-97-46, Ordinance No. 240-97

(United States District Court Case No. C95-03644 CW.)

Finally passed.

[Mario Marckewordt v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Mario Marckewordt against the City and County by payment of \$12,000. (City Attorney)

File 45-97-47, Ordinance No. 241-97

(Superior Court No. 970-675.)

Finally passed.

[Adele Roberts v. CCSF, et al.]

Ordinance authorizing settlement of employment discrimination claim of Adele Roberts against the City and County, Anthony Ribera, Thomas Murphy, Frank Reed, Forrest Fulton and Woodrow Tennant by payment of \$30,832.54. (City Attorney)

File 45-97-48, Ordinance No. 242-97

(United States District Court, Northern District of California No. C94-4153 CAL.)

Finally passed.

[Joint Fundraising Drive]

Ordinance amending Administrative Code, to allow explicitly any Mayor's Fund created to further social causes to participate in the Annual Joint Fundraising Drive, and to provide that these Mayor's Funds may be authorized to participate in the 1997 Annual Joint Fundraising Drive. (Mayor Willie L. Brown, Jr.)

File 97-97-16, Ordinance No. 244-97

(Amends Section 16.93-2 and Section 16.93-4.)

Finally passed.

[Conflict of Interest Code, Health Authority]

Ordinance amending Administrative Code, to specify financial disclosure requirements for members and employees of the San Francisco Health Authority. (S. F. Health Authority)

File 97-97-28, Ordinance No. 245-97

(Adds Section 58.218.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$1,800,000, Public Utilities Commission, of 1998B Clean Water Sewer Revenue Bond proceeds to a capital improvement project for the predesign of the Recycled Water Master Plan (Phase 1) for fiscal year 1996-97. (Controller)

File 101-96-79, Ordinance No. 233-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

NEW BUSINESS

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted

[Encroachment Permit, Golden Gate Avenue]

Resolution granting revocable permission to the Clark Construction Group, Inc., for a one-year extension to temporarily close and occupy the southerly sidewalk and a portion of the street area on Golden Gate Avenue between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street, between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street (Block 765, Lots 2 and 3). (Department of Public Works)

File 10-97-8, Resolution No. 572-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

[Northeastern Waterfront Survey Area]

Resolution amending Resolutions No. 141-77, 607-91, 125-95 and 414-96 designating and describing the Northeastern Waterfront Survey Area by adding real property to said area (Lots 15 and 25 of Assessor's Block 3774 fronting both on Brannan Street and Federal Street, and located between Delancey and Second Streets. (Supervisor Yaki)

File 151-97-2, Resolution No. 574-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Leal, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Kaufman, Medina - 3.

The President resumed the Chair.

[Mission Bay Plan Environmental Review]

Resolution adopting Addendum #2 to Final Environmental Impact Report and adopting and incorporating findings regarding Final EIR and Addendum #2 to Final EIR in connection with amendments to the Mission Bay Plan, which forms a part of the San Francisco General Plan, zoning reclassification and amendments to the Planning Code; companion measure to Files 36-97-3, 115-97-7, 115-97-8, and 271-97-3. (Supervisor Yaki)

File 36-97-3.1, Resolution No. 573-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

Passed for Second Reading

[Mission Bay General Plan Amendment]

Ordinance approving amendments to a portion of the San Francisco General Plan, the Mission Bay Specific Plan, reclassifying a site within Mission Bay, located north of Sixteenth Street between Owens and Sixth Streets, a portion of Lot 3 in Assessor's Block 3835, to a designation permitting biotechnology research facilities; companion measure to Files 36-97-3, 36-97-3.1, 115-97-7, and 115-97-8. (Supervisor Yaki)

File 271-97-3, Ordinance No.

(April 24, 1997 - Planning Commission Resolution 14355 adopted.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

[Zoning Map Amendment, Mission Bay]

Ordinance amending the Zoning Map of the City and County for property located within Mission Bay in the area north of Sixteenth Street between Owens and Sixth Streets, portion of Lot 3 in Assessor's Block 3835, to change the use district classification from an MB-R-3 (Mission Bay High Density Residential) District to an MB-CI (Mission Bay Commercial-Industrial) District, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 36-97-3.1, 115-97-7, 115-97-8, and 271-97-3. (Supervisor Yaki)

File 36-97-3, Ordinance No.

(April 24, 1997 - Planning Commission Resolution 14357 adopted.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code, concerning Mission Bay Commercial Industrial District (MB-C1) and density of residential uses in MB-R and MB-NC Districts, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 115-97-8, 36-97-3, 36-97-3.1, and 271-97-3. (Supervisor Yaki)

File 115-97-7, Ordinance No.

(Amends Sections 913 and 920.)

(April 24, 1997 - Planning Commission Resolution 14356 adopted.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code, concerning Mission Bay Parking requirements and retention of the 95 foot height limit by amending Tables 912, 913, and 914 and Section 962, and adopting findings pursuant



to Planning Code Section 101.1; companion measure to Files 115-97-7, 36-97-3, 36-97-3.1, and 271-97-3. (Supervisor Yaki)

File 115-97-8, Ordinance No.

(April 24, 1997 - Planning Commission Resolution 14356 adopted.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

Adopted

[South of Market Redevelopment Project Area]  
Resolution confirming the election of members to the Project Area Committee for the South of Market Redevelopment Project Area. (Supervisor Bierman)

File 161-97-3.1, Resolution No. 575-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding the following litigation: Air Transport Association of America and Airline Industrial Relations Conference v. San Francisco, U.S. District Court No. C97-1763PJH, as permitted by Government Code Section 54956.9(a).

Supervisor Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

Recess

The Board recessed at the hour of 3:17 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 4:07 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Noted absent:

Supervisors Bierman, Medina - 2.

Quorum present.

Supervisors Bierman, Medina were excused. (See supra.)

Report on Closed Session

Deputy City Attorney Ted Lahey reported that the Board had met in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding the following litigation: Air Transport Association of America and Airline Industrial Relations Conference v. San Francisco, U.S. District Court No. C97-1763PJH, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the litigation listed above.

Supervisor Leal, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Richard Hanlin, track meet;  
James Pye, child custody issue;  
Leboriae P. Smoore, police brutality, constitution for poor;  
Constance Kuruppu, police brutality;  
Jesus Gumbay, former school district employee;  
John Barbe, Mid-Embarcadero site for Fine Arts Museum;

Supporting general assistance recipient representation on workfare task force: Steven Williams, Arlie Peterson, male speaker, male speaker, Dan Jones, Juliette, Cathy, Steve Bingham, Paul Oden, Harry Swett, Rosa Jones.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Lawrence B. Martin]  
Resolution commending Lawrence B. Martin on his accomplishments with the success and future of the labor movement as well as justice and dignity in the San Francisco community. (Supervisors Teng, Brown, Katz, Kaufman, Bierman, Newsom, Leal)

File 6-97-110, Resolution No. 567-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

In connection with the above item, Supervisors Newsom, Leal requested to be added as co-sponsors.

[Commend Small Business Network]  
Resolution commending the Small Business Network, and declaring June 1st through June 7th as "Small Business Week" in the City and County. (Supervisors Teng, Yaki, Katz, Kaufman, Leal, Bierman, Newsom, Brown)

File 6-97-111, Resolution No. 568-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

In connection with the above item, Supervisors Newsom, Brown requested to be added as co-sponsors.

[Hong Kong New Era Day]  
Resolution declaring July 1, 1997 as "Hong Kong New Era Day" in the City and County. (Supervisors Teng, Brown)

File 6-97-112, Resolution No. 569-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsors.

[Commend Edith Pearl Mc Donald/Garnet Smith]  
Resolution commending Edith Pearl Mc Donald and Garnet Smith on their 50th wedding anniversary. (Supervisor Brown)

File 6-97-113, Resolution No. 570-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

[Commend Japanese Cultural Community Center]  
Resolution commending the Planning Committee of the Japanese Cultural Community Center of Northern California in having executed an outstanding job in celebrating the 40th year anniversary of the San Francisco/Osaka Sister City relationship. (Supervisors Brown, Katz, Teng, Leal)

File 6-97-114, Resolution No. 571-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Name Gymnasium for Thomas Kim]  
Resolution urging the Board of Education to name the gymnasium at Francisco Middle School in honor of Mr. Thomas Kim. (Supervisors Yee, Brown)

File 211-97-4, Resolution No. 576-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Bay Area Partnership]  
Resolution expressing the support of the Board of Supervisors in participation in the Bay Area Partnership: Building Healthy and Self-sufficient Communities for Economic Prosperity. (Supervisors Yaki, Bierman, Leal, Brown)

File 260-97-1, Resolution No. 577-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

[Amendment to Treasure Island Homeless Development Initiative]  
Resolution endorsing an amendment to Base Closure Homeless Assistance Agreement and authorizing transfer of personal property to Treasure Island Homeless Development Initiative. (Supervisors Yaki, Bierman, Leal, Brown)

File 244-96-7.1, Resolution No. 566-97

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Brown requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.10

(June 2, 1997 - Introduced in Board for consideration June 9, 1997.)

Adopted.

[Final Map, 574-578 Waller Street/100-104 Pierce Street]

Motion approving final map of 574-578 Waller Street/100-104 Pierce Street, a Residential Condominium Project, being a subdivision of Lot 17 in Assessor's Block No. 861, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-10

(June 2, 1997 - Referred to Board for consideration on June 9, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Medina - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Sewer Service Charges, 1997-1998]

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1997-1998 pursuant to Public Works Code Articles 4.1 and 4.2; exempt from environmental review May 22, 1997. Mayor Willie L. Brown, Jr. presented. Scheduled for Board public hearing June 23, 1997 at 3:00 p.m.

File 021-97-002.

Referred to Committee

[Travel Allowance Limitation]

Ordinance limiting the allowance for expenses incurred in traveling on United Airlines. Supervisors Ammiano, Katz presented. Referred to Finance Committee.

File 108-97-003.

[Street Vacation, China Basin Ballpark]

Ordinance ordering the vacation of certain street areas within the site at China Basin for the San Francisco Giants Ballpark Project; adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying earlier acts; companion measure to File 164-97-3. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 164-97-003.01.

Referred to Board

[Proclaim USA-Mexico Youth Soccer Program]

Resolution declaring USA-Mexico Youth Soccer Exchange Program Week, bringing Bay Area and Mexican soccer teams together in San Francisco for soccer competition and social activities allowing good fellowship and greater mutual cultural understanding between the visiting youth from Mexico and local young athletes from San Francisco. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 004-97-027.

[Commend Volunteers of Visiting Nurses/Hospice]

Resolution commending the Volunteers of Visiting Nurses and Hospice of San Francisco and declaring Wednesday, June 25, 1997 Visiting Nurses and Hospice Volunteers Appreciation Day in the City and County of San Francisco. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 006-97-115.

[Commend Columbia Park Boys and Girls Club]

Resolution commending Columbia Park Boys and Girls Club for its efforts to develop programs to empower girls and to encourage their equal participation and declaring Saturday, June 28, 1997 "Columbia Park Boys and Girls Club Girls Day" in the City and County of San Francisco. Supervisors Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 006-97-116.

[Commend Yori Wada]

Resolution commending Yori Wada for his leadership and dedication to minority youth and declaring June 8, 1997 as "Yori Wada Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 006-97-117.

[State Legislation, SB 392]

Resolution supporting California Senate Bill 392 which would allow dependents of employees who lose medical coverage to enroll in the Health Insurance Plan of California when the employee also obtains health care coverage through the Health Insurance Plan of California. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 012-97-023.

[State Legislation, SB 393]

Resolution supporting California Senate Bill 393 which would establish a state-sponsored health insurance purchasing pool for mid-sized businesses with 51 to 100 employees. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 012-97-024.

Referred to Committee

[International Airport Management/Advisory Services]

Resolution approving the formation of a private for-profit corporation as an international provider of airport management and advisory services. Supervisor Kaufman presented. Referred to Finance Committee.

File 027-97-006.

[Street Vacation, China Basin Ballpark]

Resolution declaring the intention of the Board of Supervisors to vacate certain street areas within the site at China Basin for the San Francisco Giants Ballpark Project; setting the hearing date for all persons interested in the proposed vacation of the street areas; and adopting findings regarding consistency with the City's General Plan and eight priority policies of Planning Code Section 101.1; companion measure to File 164-97-3.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 164-97-003.

Referred to Board

[Waive Time Limit, Bond Measure]

Resolution waiving the time limit for introducing and adopting a resolution of public interest and necessity in connection with submitting a November 1997 ballot measure for approval to modify (a) the purpose for which remaining proceeds from Earthquake Safety Loan Bonds, 1992, may be spent; and (b) the purpose for which the remaining authorization for said bonds may be used; establishing new deadline dates of June 9, 1997 for introduction and June 23, 1997 for adoption of said resolution; companion measure to File 170-97-7.1. Mayor Willie L. Brown, Jr. presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 170-97-007.

Referred to Committee

[Earthquake Safety Loan Bonds, 1992]

Resolution declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: construction and/or reconstruction of buildings owned by the City and County, including earthquake repairs and earthquake hazards reduction, in an amount not to exceed \$50,000,000 and seismic strengthening of unreinforced masonry buildings that the City and County acquires title to through condemnation or other enforcement proceedings; including related environmental remediation, disabled access, life/safety improvements and acquisition, construction and reconstruction necessary or convenient for the foregoing purposes; and that the estimated cost of \$196,800,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require an expenditure greater than the amount allowed therefor by the annual tax levy and will require the incurring of a bonded indebtedness; initiating proceedings to authorize the City to obtain the consent of the voters to (1) modify the purposes for which the remaining unspent bond proceeds from the Earthquake Safety Loan Bonds, previously approved by the voters as Proposition A in November 1992, and allocated to loans for market-rate buildings may be spent to include the municipal improvements specified above; and (2) modify the purposes for which the remaining authorization for said Proposition A bonds allocated to loans for market-rate buildings may be used to include the municipal improvements specified above; companion measure to File 170-97-7 and File 170-97-7.2. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 170-97-007.01.

Referred to Board

[Flex-Time]

Resolution urging the administration to examine the positive attributes of the utilization of flex-time. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 221-97-001.

Requests for Hearings:

[Chronic Illness in Bayview/Hunters Point]

Hearing to consider Department of Public Health report regarding incidents of chronic illness and hospitalizations in the Bayview/Hunters Point. Supervisors Bierman, Brown presented. Referred to Health, Family and Environment Committee.

File 030-97-012.

[Bond Property Tax Increases]

Hearing to consider establishing as City policy, eliminating pass through of Bond property tax increases due to the passage of Propositions A, C, D, and F, when the bonds are actually sold. Supervisor Ammiano presented. Referred to Finance Committee.

File 109-97-002.

[Employment Program]

Hearing to consider developing and drafting an employment program to further the employment of San Francisco residents, especially underemployed and unemployed residents, in conjunction with the construction projects that will be financed by the bonds resulting from propositions approved by the voters at the June 1997 Special Municipal Election. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 219-97-002.

Motions:

[Suspend 30 Day Rule, Ballot Measure]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the consideration, without waiting 30 days after its introduction, of a proposed resolution submitting a ballot proposition for the November 4, 1997 election which would modify the purpose for which remaining proceeds from Earthquake Safety Loan Bonds, 1992, may be spent; and the purpose for which the remaining authorization for said bonds may be used; companion measure to File 170-97-7. Mayor Willie L. Brown, Jr. presented. Referred to Board for Adoption Without Committee Reference Calendar June 16, 1997.

File 170-97-007.02.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-051. [Connie Dodson v. CCSF, et al.] Ordinance authorizing settlement of litigation of Connie Dodson against the City and County of San Francisco by payment of \$6,000. (Superior Court No. 975-472). (City Attorney) Referred to Rules Committee.

File 045-97-052. [Imelda Tanega v. CCSF, et al.] Ordinance authorizing settlement of litigation of Imelda Tanega against the City and County of San Francisco by payment of \$22,000. (Superior Court No. 971-856). (City Attorney) Referred to Rules Committee.

File 045-97-053. [Aaron Jones, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Aaron Jones against the City and County of San Francisco by payment of \$9,000. (Municipal Court No. 130-209). (City Attorney) Referred to Rules Committee.

File 045-97-054. [Margie Owen, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Margie Owen against the City and County of San Francisco by payment of \$25,000. (Superior Court No. 977-528). (City Attorney) Referred to Rules Committee.

File 045-97-055. [Maria Teresa Hernandez v. CCSF, et al.] Ordinance authorizing settlement of litigation of Maria Teresa Hernandez against the City and County of San Francisco by payment of \$11,250. (Municipal Court No. 130-826). (City Attorney) Referred to Rules Committee.

File 045-97-056. [Sheri Einhorn v. CCSF, et al.] Ordinance authorizing settlement of litigation of Sheri Einhorn against the City and County of San Francisco by payment of \$65,000. (Superior Court No. 954-281). (City Attorney) Referred to Rules Committee.

File 093-96-030.01. [Amendment to MOU, Local 911] Substitute ordinance implementing the provisions of Amendment No. 2 to the Memorandum of Understanding between the San Francisco Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County of San Francisco for Bargaining Units P-1; P-2A and P-2B to add Bargaining Units 14B and 15B to the terms of Memorandum of Understanding effective July 1, 1997 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 093-97-045. [MOU, Local 856, Bargaining Unit 11B] Substitute ordinance implementing the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856 and the City and County of San Francisco for Bargaining Unit 11B, Supervising Registered Nurses, for the period July 1, 1997 through June 30, 2000. (Department of Human Resources) Referred to Finance Committee.

File 097-97-032. [Public Health Membership in Organizations] Ordinance amending Administrative Code by amending Section 16.6-10 thereof, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health) Referred to Rules Committee.

Resolutions Referred to Committee

File 018-97-005. [Stop Intersections] Resolution designating certain intersections as "Stop" intersections. DPT Order No. 1311.

(Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-004. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1311. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-004. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1311. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 025-97-009. [Prop J Contract, Paratransit Services] Resolution concurring with the Controller's certification that paratransit services for the Public Transportation Commission can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission) Referred to Finance Committee.

File 028-97-002. [Emergency Repairs, Harry Tracy Water Treatment] Resolution authorizing expenditure of funds for emergency measures to provide for full emergency standby power capability at the Harry Tracy Water Treatment Plant - \$750,000. (Public Utilities Commission) Referred to Finance Committee.

File 038-97-004. [Gift Acceptance] Resolution accepting gift of vehicle from the State of California Department of Food and Agriculture to the City's Department of Agriculture/Weights and Measures to assist the City in performing activities required under the State pest detection and trapping program. (Department of Agriculture and Weights and Measures) Referred to Rules Committee.



File 040-97-011. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 048-97-038. [Settlement of Claim, Helen Nett] Resolution approving the settlement of the unlitigated claim of Helen Nett by payment of \$15,000.00. (City Attorney) Referred to Rules Committee.

File 048-97-039. [Settlement of Claim, GE Medical System] Resolution approving the settlement of the unlitigated claim of GE Medical System by payment of \$6,622.55. (City Attorney) Referred to Rules Committee.

File 048-97-040. [Settlement of Claim, Grange Insurance Co.] Resolution approving the settlement of unlitigated claim of Grange Insurance Co. as subrogee for Timothy, Dorothy and Rachel Renstrom by payment of \$11,001.81. (City Attorney) Referred to Rules Committee.

File 048-97-041. [Settlement of Claim, Daphne Togiai] Resolution approving the settlement of the unlitigated claim of Daphne Togiai by payment of \$8,000.00. (City Attorney) Referred to Rules Committee.

File 161-97-006. [Redevelopment Interim Budget, FY 1997-98] Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1997-98. (S.F. Redevelopment Agency) Referred to Finance Committee.

File 161-97-007. [Redevelopment Agency Budget and Bonds, FY 1997-98] Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1997-1998; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$43,000,000 for the purpose of financing redevelopment activities in fiscal year 1997-1998. (S.F. Redevelopment Agency) Referred to Finance Committee.

File 172-97-040. [Household Hazardous Waste Collection Program] Resolution approving a hold harmless provision for the Household Waste Collection Program Agreement between Sanitary Fill Company and the City Administrator's Office. (City Administrator/Hazardous Waste Management Program) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that City Attorney prepare ordinance amending Housing Code Section 204 to allow violations under the Housing Code (other than heating) to be charged as a misdemeanor.

By Supervisor Ammiano, that City Attorney develop and draft an employment program to further the employment of San Francisco residents, especially underemployed and unemployed residents, in conjunction with the construction projects that will be financed by the bonds resulting from propositions approved by the voters at the June 1997 special election. File 219-97-2.

By Supervisor Ammiano, that City Attorney prepare legislation which would establish city policy that there will be no pass through of bond priority tax increases due to the passage of Propositions A, C, D and F, when the bonds are actually sold. File 109-97-2.

By Supervisor Katz, that City Attorney prepare ordinance concerning senior and disabled tenant protection from unlawful evictions.

By Supervisor Katz, that letter of inquiry be sent to his Honor, the Mayor, concerning the 24 hour fitness program, to determine whether reduced rate program can be expanded to include spouses and domestic partners of City employees.

By Supervisor Katz, that City Attorney prepare ordinance which would ban the use of virgin redwood.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Bob Sinton (Supervisor Kaufman)  
Stephen Varnhagen (Supervisor Kaufman)  
Vivian M. Gaston (Supervisor Brown)

File 2-97-23

Unanimously adopted by a rising vote.



ADJOURNMENT

There being no further business, the Board at the hour of 4:09 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 15, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



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Monday, June 16, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 16, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Bierman, Leal, Medina - 3.

Quorum present.

Supervisor Bierman was noted present at 2:04 p.m.

Supervisor Leal was noted present at 2:03 p.m.

Supervisor Medina was noted present at 2:03 p.m.

CONSENT CALENDAR

Recommendations of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Mission Bay General Plan Amendment]

Ordinance approving amendments to a portion of the San Francisco General Plan, the Mission Bay Specific Plan, reclassifying a site within Mission Bay, located north of Sixteenth Street between Owens and Sixth Streets, a portion of Lot 3 in Assessor's Block 3835, to a designation permitting biotechnology research facilities; companion measure to Files 36-97-3, 115-97-7, and 115-97-8. (Supervisor Yaki)

File 271-97-3, Ordinance No. 250-97

(April 24, 1997 - Planning Commission Resolution 14355 adopted.)

Finally passed.

[Zoning Map Amendment, Mission Bay]

Ordinance amending the Zoning Map of the City and County for property located within Mission Bay in the area north of Sixteenth Street between Owens and Sixth Streets, portion of Lot 3 in Assessor's Block 3835, to change the use district classification from an MB-R-3 (Mission Bay High Density Residential) District to an MB-CI (Mission Bay Commercial-Industrial) District, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 115-97-7, 115-97-8, and 271-97-3. (Supervisor Yaki)

File 36-97-3, Ordinance No. 247-97

(April 24, 1997 - Planning Commission Resolution 14357 adopted.)

Finally passed.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code, concerning Mission Bay Commercial Industrial District (MB-CI) and density of residential uses in MB-R and MB-NC Districts, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 115-97-8, 36-97-3 and 271-97-3. (Supervisor Yaki)

File 115-97-7, Ordinance No. 248-97

(Amends Sections 913 and 920.)

(April 24, 1997 - Planning Commission Resolution 14356 adopted.)

Finally passed.

[Planning Code Amendment, Mission Bay]

Ordinance amending Planning Code, concerning Mission Bay parking requirements and retention of the 95 foot height limit by amending Tables 912, 913, and 914 and Section 962, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 115-97-7, 36-97-3, 271-97-3. (Supervisor Yaki)

File 115-97-8, Ordinance No. 249-97

(April 24, 1997 - Planning Commission Resolution 14356 adopted.)

Finally passed.

Recommendations of Rules Committee

Passed for Second Reading

[Constance Kremesec, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Constance Kremesec against the City and County by payment of \$235,000. (City Attorney)

File 45-97-49, Ordinance No.

(Superior Court No. 980-386.)

Passed for second reading.

[CCSF v. Dow Corning, et al.]

Ordinance authorizing settlement of litigation of City and County against Dow Corning, et al. for materials and product discounts to City at a value of approximately \$35,000. (City Attorney)

File 46-97-7, Ordinance No.

(Superior Court No. 983-823.)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Interim Annual Appropriation Ordinance, FY 1997-98]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1998. (Mayor Willie L. Brown, Jr.)

File 101-97-1, Ordinance No.

Supervisor Ammiano, seconded by Supervisor Yee, moved to amend by deleting the \$1.5 million from the Hotel Tax Fund for the Mayor's Office for the 19 positions for the protocol office.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Ammiano, Yee - 2.

Noes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 9.

Supervisor Yee, seconded by Supervisor Ammiano, moved to amend by deleting various new positions from the interim budget.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Ammiano, Yee - 2.

Noes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 9.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisors Ammiano, Yee - 2.

[Interim Annual Salary Ordinance, FY 1997-98]

Interim Annual Salary Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1998, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the annual appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof; for fiscal year ending June 30, 1998. (Mayor Willie L. Brown, Jr.)

File 102-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisors Ammiano, Yee - 2.

Adopted as Amended

[Redevelopment Agency Interim Budget, 1997-98]

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1997-98. (Redevelopment Agency)

File 161-97-6, Resolution No. 593-97

Supervisor Katz, seconded by Supervisor Brown, moved to amend line 18, after "herein" by adding the following: "; and, be it Further Resolved, No money is to be spent for action to be taken at Hunters Point Shipyard that would result in a waiver of CEQA or would result in clean-up to less than residential standards without prior Board approval".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Noes: Supervisor Yaki -1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for Second Reading

[MEA Arbitration Award]

Ordinance adopting and implementing the provisions of an arbitrator's award dated March 31, 1997 setting the compensation of classifications represented by the Municipal Executives Association for Bargaining Units M and EM for the period July 1, 1996 through June 30, 1998. (Department of Human Resources)

File 93-97-35, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, MEA, Bargaining Units M and EM]

Ordinance adopting and implementing the provisions of an amendment regarding pay for performance to the Memorandum of Understanding between the City and County and the Municipal Executives Association for Bargaining Units M and EM for the period July 1, 1997 through June 30, 1998. (Mayor Willie L. Brown, Jr.)

File 93-97-43, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Mediated Agreement, Bargaining Unit 11AA]

Ordinance implementing the provisions of a mediated agreement between the Union of American Physicians and Dentists and the City and County for Bargaining Unit 11AA to be effective July 1, 1997. (Department of Human Resources)

File 93-97-36, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Mediated Agreement, Bargaining Unit 8CC]

Ordinance implementing the provisions of a mediated agreement between the Union of American Physicians and Dentists and the City and County for Bargaining Unit 8CC to be effective July 1, 1997. (Department of Human Resources)

File 93-97-37, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Mediated Agreement, DA Investigators]

Ordinance implementing the provisions of a mediated agreement, as amended, between the District Attorney Investigators Association and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-38, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Mediated Settlement, Local 21]

Ordinance implementing the provisions of a mediated settlement adopted by the arbitration panel dated May 27, 1997 amending the provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County for the period July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-39, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Arbitrator's Award, Local 21]

Ordinance implementing the provisions of an arbitrator's award dated May 27, 1997 between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, and the City and County providing for the arbitrable terms of implementation of the Information Technology Study. (Supervisor Kaufman)

File 93-97-6.1, Ordinance No.

Passed for second reading by the following vote:



Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Amendment to MOU, Local 250-A]

Ordinance amending Ordinance No. 223-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County regarding wages to be effective July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-40, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Amendment to MOU, Local 250-A (Multi Unit)]

Ordinance amending Ordinance No. 234-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 250-A (Multi-Unit), and the City and County regarding wages to be effective for the period July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-42, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[MOU, Local 790, Staff Nurse/Per Diem Nurses]

Ordinance adopting and implementing the terms of a Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County for Staff Nurse and Per Diem Nurses to be effective July 1, 1997 through June 30, 2000. (Mayor Willie L. Brown, Jr.)

File 93-97-44, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[MOU, Local 856, Bargaining Unit 118]

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856 and the City and County for Bargaining Unit 118, Supervising Registered Nurses, for the period July 1, 1997 through June 30, 2000. (Mayor Willie L. Brown, Jr.)

File 93-97-45, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

#### From Finance Committee Without Recommendation

Adopted as Amended

[Port Loan Agreement]

Resolution approving and authorizing a Limited Subordinate Credit Facility between the Port Commission, as borrower, and Canadian Imperial Bank of Commerce, as lender, for a loan of up to \$12,000,000 for a term of 10 years, to finance the Port Maintenance Facility Project and the proposed Caltrans Site Acquisition Project, including a limited indemnity of the Bank under such credit facility; approving and authorizing an interest rate Cap Confirmation Agreement in connection with such credit facility; and ratifying certain prior acts; companion measure to Files 101-96-83 and 101-96-84. (Port Commission)

File 173-97-3, Resolution No. 594-97

(Fiscal Impact.)

Supervisor Kaufman Excused from Voting

The Clerk stated, Supervisor Kaufman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Ammiano, seconded by Supervisor Katz, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Excused: Supervisor Kaufman - 1.

Supervisor Katz, seconded by Supervisor Ammiano, moved to amend page seven, line 8, by adding the following: "; and, be it Further Resolved, That this contract is approved contingent upon confirmation from the Human Rights Commission or City Attorney that the contract is in compliance with Chapter 12B of the Administrative Code".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Excused: Supervisor Kaufman - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Excused: Supervisor Kaufman - 1.

Passed for Second Reading

[Appropriation, Port Commission]

Ordinance appropriating \$7,550,000, Port Commission, of San Francisco Harbor Operating Fund Loan Revenue, to capital improvement project for relocation of the maintenance facility for fiscal year 1996-97; placing \$6,052,714 on reserve; providing for ratification of action previously taken. (Controller)

File 101-96-83, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Excused: Supervisor Kaufman - 1.

[Appropriation, Port Commission]

Ordinance appropriating \$477,000, Port Commission, Harbor Operating Funds, to a capital improvement project to relocate tenants from Pier 46 for fiscal year 1996-97. (Controller)

File 101-96-84, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Excused: Supervisor Kaufman - 1.

[MOU, Locals 790, 535, and 250]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535, and 250 and the City and County to be effective for the period July 1, 1997 through June 30, 2000. (Supervisor Bierman)

File 93-97-46, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Leal, Newsom - 3.

The President resumed the Chair.

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted

[Sublease Agreement - Treasure Island]

Resolution approving and authorizing an agreement by and between the City and County and Off-Duty Productions for the sublease of Building 2 on Naval Station Treasure Island for television production. (Mayor Brown)

File 65-97-10, Resolution No. 586-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, for new four-year term ending August 20, 1999. (Rules Committee)

File 92-95-39.5, Resolution No. 578-97

(Lothell Holloway, Sr., vice Leticia Alcantar, Seat No. 26620, expertise in neighborhood concerns, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment]

Resolution appointing members to the Advisory Council to the Commission on the Aging; terms expired, for new two-year terms ending March 31, 1999. (Rules Committee)

File 92-97-13.1, Resolution No. 587-97

(Tsuyako "Sox" Kitashima, vice Donna Calame, Seat No. 20308;  
William F. Hollabaugh, vice Arthur Hurwitz, Seat No. 20311.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution nominating members for appointment by the Mayor to the Citizens Advisory Committee on Elections, terms expired, for new four-year terms ending May 16, 2001. (Rules Committee)

File 92-97-16.1, Resolution No. 588-97

(Christopher L. Bowman, vice himself, Seat No. 30105;  
Samson W. Wong, vice himself, Seat No. 30106.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointment]

Resolution appointing member to the Sunshine Ordinance Task Force, for unexpired portion of two-year term ending April 27, 1998. (Rules Committee)

File 92-97-21, Resolution No. 589-97

(David J. Watkins, vice Sue Hestor, Seat No. 27106, must be member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, resigned.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the City-Wide Alcoholism Advisory Board, all applicants must have professional, research, or personal interest in alcoholism; terms expiring July 1, 1997, for new three-year terms ending July 1, 2000. (Rules Committee)

File 92-97-22.1, Resolution No. 590-97

(William J. Bisesto, vice himself, Seat No. 20610;  
Deborah D. Dupire, vice herself, Seat No. 20613;  
Eugene Coleman, vice himself, Seat No. 20614;  
Thomas D. Stern, Ph.D., vice George B. Creel, Seat No. 20611.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appointments]

Resolution appointing members to the Drug Abuse Advisory Board. (Rules Committee)

File 92-97-26, Resolution No. 591-97

(Randy S. Salenfriend, vice Jene Meyer, Seat No. 22112, must represent the public at large, resigned, for unexpired portion of three-year term ending October 1, 1997;

Cedric Akbar, vice Kenneth Akinaka, Seat No. 22109, must represent the public at large, resigned, for the unexpired portion of three-year term ending October 1, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

From Rules Committee Without Recommendation

(Supervisor Ammiano dissenting in Committee.)

Passed for Second Reading

[Burma Ordinance Clarifying Amendments]

Ordinance amending Administrative Code, for the purpose of adding certain clarifying amendments, exempting contracts with public entities from the Burma ordinance, and applying the Burma ordinance to contracts for the construction of public works and contracts to be paid out of the treasury of the City and County. (Supervisor Ammiano)

File 97-96-10.1, Ordinance No.

(Amends Sections 12J.1, 12J.2, 12J.3, 12J.4, 12J.7 and 12J.8.)

After a period of discussion, Supervisor Yaki, seconded by Supervisors Ammiano and Bierman, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Brown - 1.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Noes: Supervisors Kaufman, Newsom - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[Tour Bus Prohibition on 15th Avenue]

Ordinance amending Ordinance Nos. 115-96 and 282-96, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio, to provide that this prohibition on tour buses shall expire on October 31, 1997, rather than June 30, 1997. (Supervisors Teng, Katz, Leal, Yaki, Bierman, Brown)

File 121-97-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Yee - 2.

In connection with the above item, Supervisors Leal, Yaki, Bierman, Brown requested to be added as co-sponsors.

[Tour Bus Prohibition on 25th Avenue]

Ordinance amending Ordinance Nos. 88-96 and 281-96, which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar, to provide that this prohibition on tour buses shall expire on October 31, 1997, rather than June 30, 1997. (Supervisors Teng, Katz, Leal, Yaki, Bierman, Brown)

File 121-97-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Yee - 2.

In connection with the above item, Supervisors Leal, Yaki, Bierman, Brown requested to be added as co-sponsors.

Adopted

[Mid-Mission Liquor Moratorium]

Resolution imposing interim zoning controls to establish the Mid-Mission Alcoholic Beverage Special Use District and prohibit the introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Cesar Chavez Street, Mission Street, Randall Street, San Jose Avenue and Guerrero Street for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisor Katz, Leal, Brown, Bierman, Ammiano, Teng)

File 111-97-3, Resolution No. 592-97

(April 7, 1997 - General Rule Exclusion for Environmental Review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Yee - 2.

In connection with the above item, Supervisors Leal, Brown, Bierman, Ammiano, Teng requested to be added as co-sponsors.

[Liquor License, 690 - 18th Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Prapas Luamsang for LS Acquisition Corporation located at 690 - 18th Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with a condition (selling of wine only). (Housing and Neighborhood Services Committee)

File 223-97-15, Resolution No. 596-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Yee - 2.

[Liquor License Transfer, 155 Sansome Street]

Resolution determining that the transfer of a Type 50 on-sale general-club alcoholic beverage license to Hank Basayne, for the Press Club, from 555 Post Street to its new location at 155 Sansome Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services)

File 223-97-16, Resolution No. 597-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Yee - 2.

#### Conference with City Attorney - Litigation

##### From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) United States v. City and County of San Francisco, No. C-84-7089 and (2) Davis v. City and County of San Francisco, No. C-84-1100, as permitted by Government Code Section 54956.9(a).

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Yee - 2.

##### Recess

The Board recessed at the hour of 4:30 p.m. to convene in closed session.

##### Reconvening of the Board

The Board, at the hour of 4:54 p.m., reconvened.

##### Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Brown, Leal, Newsom, Teng, Yaki, Yee - 7.

Noted absent:

Supervisors Ammiano, Katz, Kaufman, Medina - 4.

Quorum present.

Supervisor Ammiano was noted present at 4:57 p.m.

Supervisor Katz was noted present at 6:08 p.m.

Supervisor Kaufman was noted present at 4:55 p.m.

Supervisor Medina was noted present at 4:56 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) United States v. City and County of San Francisco, No. C-84-7089 and (2) Davis v. City and County of San Francisco, No. C-84-1100, as permitted by Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the litigation listed above.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Leal, Newsom, Teng, Yaki, Yee - 7.

Absent: Supervisors Ammiano, Katz, Kaufman, Medina - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

James H. Pye, Jr., child custody;  
Leboriae P. Smoore, Alice Griffith Housing gate;  
Espanola Jackson, election;  
Margaret Verges, Stop the Giveaway, voter fraud;  
Worldwind Dreamer, voter discrepancy on stadium issue;  
Gary Eberling, stadium issue;  
Gilbert Criswell, Human Rights Commission;  
Cati O'Korie, supports stadium issue.

There being no one else wishing to speak, the President Pro Tempore declared the public comment portion of the meeting closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Commend Volunteers of Visiting Nurses/Hospice]  
Resolution commending the Volunteers of Visiting Nurses and Hospice of San Francisco and declaring Wednesday, June 25, 1997 Visiting Nurses and Hospice Volunteers Appreciation Day in the City and County of San Francisco. (Supervisors Leal, Bierman, Katz, Medina)

File 6-97-115, Resolution No. 580-97

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.



Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Waive Time Limit, Bond Measure]

Resolution waiving the time limit for introducing and adopting a resolution of public interest and necessity in connection with submitting a November 1997 ballot measure for approval to modify (a) the purpose for which remaining proceeds from Earthquake Safety Loan Bonds, 1992, may be spent; and (b) the purpose for which the remaining authorization for said bonds may be used; establishing new deadline dates of June 9, 1997 for introduction and June 23, 1997 for adoption of said resolution; companion measure to File 170-97-7.1. (Mayor Willie L. Brown, Jr.)

File 170-97-7, Resolution No.

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Tabled

[Suspend 30 Day Rule, Ballot Measure]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the consideration, without waiting 30 days after its introduction, of a proposed resolution submitting a ballot proposition for the November 4, 1997 election which would modify the purpose for which remaining proceeds from Earthquake Safety Loan Bonds, 1992, may be spent; and the purpose for which the remaining authorization for said bonds may be used; companion measure to File 170-97-7.1. (Mayor Willie L. Brown, Jr.)

File 170-97-7.2, Resolution No.

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim USA-Mexico Youth Soccer Program]

Resolution declaring USA-Mexico Youth Soccer Exchange Program Week, bringing Bay Area and Mexican soccer teams together in San Francisco for soccer competition and social activities allowing good fellowship and greater mutual cultural understanding between the visiting youth from Mexico and local young athletes from San Francisco. (Supervisors Newsom, Bierman, Leal, Katz, Medina)

File 4-97-27, Resolution No. 579-97

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Katz, Medina requested to be added as co-sponsors.



[Commend Columbia Park Boys and Girls Club]

Resolution commending Columbia Park Boys and Girls Club for its efforts to develop programs to empower girls and to encourage their equal participation and declaring Saturday, June 28, 1997 "Columbia Park Boys and Girls Club Girls Day" in the City and County of San Francisco. (Supervisors Leal, Kaufman, Bierman, Katz, Medina)

File 6-97-116, Resolution No. 581-97

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commend Yori Wada]

Resolution commending Yori Wada for his leadership and dedication to minority youth and declaring June 8, 1997 as "Yori Wada Day" in San Francisco. (Supervisors Teng, Bierman, Kaufman, Leal, Katz, Medina)

File 6-97-117, Resolution No. 582-97

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Katz, Medina requested to be added as co-sponsors.

[State Legislation, SB 392]

Resolution supporting California Senate Bill 392 which would allow dependents of employees who lose medical coverage to enroll in the Health Insurance Plan of California when the employee also obtains health care coverage through the Health Insurance Plan of California. (Supervisors Leal, Bierman, Katz, Medina)

File 12-97-23, Resolution No. 584-97

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[State Legislation, SB 393]

Resolution supporting California Senate Bill 393 which would establish a state-sponsored health insurance purchasing pool for mid-sized businesses with 51 to 100 employees. (Supervisors Leal, Bierman, Kaufman, Katz, Medina)

File 12-97-24, Resolution No. 585-97

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz, Medina requested to be added as co-sponsors.

[Flex-Time]

Resolution urging the administration to examine the positive attributes of the utilization of flex-time. (Supervisors Yee, Katz, Medina)

File 221-97-1, Resolution No. 595-97

(June 9, 1997 - Introduced in Board for consideration on June 16, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Imperative Resolution]

Adopted

[Commend Food Bank]

Resolution commending the San Francisco Food Bank on the completion of its new warehouse and distribution center and proclaiming June 24, 1997 as "San Francisco Food Bank" Day.

File 006-97-118, Resolution No. 583-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Police/Juvenile Probation Partnership]

Ordinance amending Administrative Code by adding Article IX, Sections 20.65 through 20.65.2 to declare policy establishing a partnership between the Police Department and the Juvenile Probation Department and directing the Police Chief and the Chief Juvenile Probation Officer to team police officers and juvenile probation officers together to conduct home visits of youth who are subject to juvenile probation orders. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 097-97-033.

[Apartment Unit Conversion]

Ordinance amending Administrative Code Sections 41A.4 and 41A.5 to increase the minimum rental term from daily to monthly, to clarify the prohibition of rentals to business entities and to allow interested parties to enforce the ordinance. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 097-97-034.

Referred to Board

[American Red Cross]

Resolution recognizing the American Red Cross Youth for Chinatown Elderly Program. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 004-97-028.

[Commend Mark Rand]

Resolution commending Mark O. Rand for his long standing distinguished and dedicated service to the City and County of San Francisco with the Departments of Public Works and Parking and Traffic. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 006-97-119.

[State Legislation, SB 938]

Resolution supporting California Senate Bill 938 which will provide all permanent resident immigrant Californians with an opportunity to become United States citizens and which will expand citizenship services to elderly, blind, disabled and other non-citizen legal immigrants who are at risk of losing their federal benefits by August 30, 1997. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 012-97-025.

[SSI Recipient Safety Net]

Resolution urging the California Congressional Delegation and the State Legislature Representatives to adopt legislation which protects the basic safety net for all legal immigrants currently receiving Supplemental Security Income and committing the necessary resources to maintain the subsidies to guarantee a basic safety net for all legal immigrants who are currently receiving SSI. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 013-97-023.

[Glaxo-Wellcome Drug 1592U89]

Resolution declaring support for Glaxo-Wellcome drug 1592U89 and the creation of a large program that would give tens of thousands of people with AIDS access to life-saving antivirals. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-013.

[Lead Poisoning Prevention - DPH]

Resolution urging the Department of Public Health to carry out the recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.

[Lead Poisoning Prevention - DBI]

Resolution urging the Department of Building Inspection to carry out the recommendations contained in the Department of Public Health's Annual Report to the Board of Supervisors regarding the effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.01.

[Lead Poisoning Prevention - DHS]

Resolution urging the Department of Human Services to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.02.

[Lead Poisoning Prevention - DPW/Real Estate]

Resolution urging the Departments of Public Works and Real Estate to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the

effective implementation of the Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.03.

[Lead Poisoning Prevention - Housing Authority]

Resolution urging the San Francisco Housing Authority to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.04.

[Lead Poisoning Prevention - Public Library]

Resolution urging the San Francisco Public Library to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.05.

[Lead Poisoning Prevention - Mayor's Office]

Resolution urging the Mayor's Office of Children, Youth and Family, Community Development and Housing to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.06.

[Lead Poisoning Prevention - Recreation and Parks]

Resolution urging the Recreation and Parks Department to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.07.

[Lead Poisoning Prevention - Redevelopment Agency]

Resolution urging the San Francisco Redevelopment Agency to carry out the recommendations contained in the Department of Public Health's Annual Report to the Board of Supervisors regarding the effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.08.

[Lead Poisoning Prevention - SFUSD]

Resolution urging the San Francisco Unified School District to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.09.

[Lead Poisoning Prevention - Tax Collector]

Resolution urging the Tax Collector to carry out the recommendations contained in the Department of Public Health's Annual Report to the Board of Supervisors regarding the effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.10.

[Lead Poisoning Prevention - Water Department]

Resolution urging the San Francisco Water Department to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program and to implement the Board of Supervisors' 1992 and 1996 resolutions urging the Water Department to provide free drinking water testing to certain households. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-014.11.

Referred to Committee

[Gift Acceptance]

Resolution accepting the collection of historical artifacts in the Treasure Island Museum from the United States Navy. Supervisor Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 038-97-005.

[Special Election, Water Revenue Bonds, \$157M]

Resolution calling and providing for a special revenue bond election to be held in the City and County for the purpose of submitting to the qualified voters of said City and County on November 4, 1997, a proposition for issuing revenue bonds pursuant to Section 9.107 of the Charter of the City and County in the principal amount of \$157,000,000 to provide funds for the purpose of acquiring, constructing and financing reliability and seismic safety additions and improvements to the existing drinking water collection treatment and distribution system; and consolidating said special revenue bond election with the general municipal election to be held on November 4, 1997. Supervisor Kaufman presented on behalf of the Public Utilities Commission. Referred to Finance Committee.

File 060-97-004.

[Special Election, Water Revenue Bonds, \$147M]

Resolution calling and providing for a special revenue bond election to be held in the City and County for the purpose of submitting to the qualified voters of said City and County on November 4, 1997, a proposition for issuing revenue bonds pursuant to Section 9.107 of the Charter of the City and County in the principal amount of \$147,000,000 to provide funds for the purpose of acquiring, constructing and financing safe drinking water collection, treatment and distribution system; and consolidating said special revenue bond election with the general municipal election to be held on November 4, 1997. Supervisor Kaufman presented on behalf of the Public Utilities Commission. Referred to Finance Committee.

File 060-97-005.

Referred to Board

[Park Patrol]

Resolution recognizing the contribution and work of the Park Patrol unit of the Recreation and Park Department and urging the department to fully fund, train and staff the Park Patrol. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 100-97-002.

Referred to Committee

[Youth Jobs]

Resolution urging the Human Rights Commission to study city procurements and to develop and recommend to the Board of Supervisors legislation that would establish a City Youth Employment program that would require City contractors to employ youth in the performance of City contracts. Supervisor Medina presented. Referred to Health, Family and Environment Committee.

File 108-97-004.

[Natural Gas Fueling Facility, Presidio]

Resolution authorizing the City to enter into an agreement with the National Park Service for the use of a compressed natural gas facility in the Presidio. Supervisor Leal presented. Referred to Finance Committee.

File 172-97-041.

[Bay Bridge Design]

Draft resolution supporting the efforts of the Metropolitan Transportation Commission to build consensus on the design and the additional features for the Bay Bridge. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 231-97-002.

[Made in San Francisco Label]

Resolution establishing a "Proudly Made in San Francisco" label to be placed on items manufactured in San Francisco and urging the San Francisco Art Commission to sponsor a contest for the creation of a "Made in San Francisco" label. Supervisor Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 261-97-001.

[San Francisco First Policy, Airport]

Resolution urging the Airport Commission to consider the adoption of a policy to require, where appropriate the sale of items manufactured in San Francisco, in Airport renewal concession contracts and future Airport concession contracts, and directing the Clerk of the Board to transmit a copy of this resolution to the Airport Commission for its consideration. Supervisor Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 261-97-002.

[San Francisco First Policy, Port]

Resolution urging the San Francisco Port Commission to consider the adoption of a policy to require, where appropriate, the sale of items manufactured in San Francisco in port renewal concession contracts and future port concession contracts and directing the Clerk of the Board to transmit a copy of the resolution to the San Francisco Port Commission for its consideration. Supervisor Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 261-97-003.

#### Requests for Hearings:

[Office of Citizens Complaints Budget]

Hearing to consider a proposal to create a new line item in the budget for the Office of Citizens Complaints removing and separating its funding from the Police Department budget request. Supervisor Ammiano presented. Referred to Finance Committee.

File 100-97-003.

[Toxic Clean-up, Giants Stadium Site]

Hearing to consider the status of environmental remediation and toxic clean-up of the Giants ballpark site. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 161-97-002.01.

#### Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar June 23, 1997.

File 030-97-001.11.

[Ballot Measure, Park Land Sale]

Motion ordering submission to the voters of an ordinance approving the sale of approximately .5 acres at the top of Mt. Davidson Park including the land upon which the Mt. Davidson cross stands. The land is sold subject to the restriction that it remain open space available for public use. The ordinance also ratifies the procedures used to notice, conduct, authorize and approve the sale. Supervisor Kaufman presented on behalf of the City Attorney. Referred to Rules Committee with request it be considered no later than July 22, 1997.

File 060-97-006.

#### Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 106-97-001. [Compensation, Superior/Municipal Courts] Substitute ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior and Municipal Courts for the City and County of San Francisco. (Superior and Municipal Courts) Referred to Finance Committee.



Resolutions Referred to Committee

File 010-97-002.01. [Encroachment Permit, 657 Turk/Elm Streets] Resolution rescinding Resolution No. 242-97 and granting revocable permission to Nielsen Dillingham Builders, Inc. to reconfigure the temporary closure and occupancy of the south sidewalk and a portion of the street area on Turk Street and the north sidewalk and a portion of the street area on Elm Street during construction operations at Tenderloin Elementary School at 657 Turk Street. (Department of Public Works) Housing and Neighborhood Services Committee.

File 025-97-010. [Prop J Contract, Convention Facilities Management] Resolution concurring with Controller's certification that convention facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees. (San Francisco Convention Facilities) Referred to Finance Committee.

File 133-97-006. [California Department of Conservation Receipt] Resolution authorizing the City Administrator (CA) of the City and County of San Francisco to accept and expend \$95,000 from the California Department of Conservation. (City Administrator) Referred to Health, Family and Environment Committee.

File 271-97-006. [Community Safety Element of the General Plan] Resolution approving amendments to the General Plan to incorporate the Community Safety Element as adopted by the Planning Commission (File No. 96.697M); companion measure to File 271-97-6.1. (Planning Commission Resolution No. 14354 adopted 4/24/97). (Planning Commission) Referred to Housing and Neighborhood Services Committee.

File 271-97-006.01. [Negative Declaration, Community Safety Element] Resolution adopting Final Negative Declaration, finding and determining that amending the General Plan by adopting the Community Safety Element will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 271-97-6. (Negative Declaration adopted and issued 4/22/96.) (Planning Commission) Referred to Housing and Neighborhood Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Newsom, Yaki, Brown, that City Attorney prepare ordinances prohibiting city business with Indonesia and Nigeria.

By Supervisor Yee, that letter be sent to Chief of Fire Department requesting quarterly reports on the ongoing staffing levels of the Fire Department, with emphasis on minority hiring and promotional practices.

By Supervisors Ammiano, Katz, that letter of inquiry be sent to General Manager, Recreation and Park Department, seeking clarification of its policies regarding departmental compliance with the anti-discrimination for domestic partners in City contracting ordinance in its summer youth recreation programs.

By Supervisor Ammiano, that letter be sent to his Honor, Mayor Willie L. Brown, Jr., urging him to hold a disability summit with subjects to include parking, budget and mental health direct access to housing.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Vincent Rovetti (By the entire Board)  
Marie Mahoney (Supervisor Leal)  
Nathan Wong (Supervisor Brown)  
Howard Perkins (Supervisor Brown)  
Janet Meurer (Supervisor Teng)  
Ida Groves (Supervisor Yaki)

File 2-97-24

Unanimously adopted by a rising vote.

Monday, June 16, 1997

ADJOURNMENT

There being no further business, the Board at the hour of 6:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 15, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



SF  
590  
#72  
6/20/97

Monday, June 23, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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Monday, June 23, 1997 - 2:00 p.m.  
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The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:17 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10

Noted absent at first roll call:

Supervisor Teng - 1.

Quorum present.

Supervisor Teng excused. (See infra.)

Supervisor Teng Excused From Attendance

The Clerk stated Supervisor Teng requested to be excused from attending the June 23 and June 30, 1997 meetings.

Supervisor Leal, seconded by Supervisor Yaki, moved to excuse Supervisor Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, April 14, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

COMMUNICATION

The Clerk indicated receipt of a communication from the Director of Elections dated June 19, 1997, certifying the results of the Special Election held on Tuesday, June 3, 1997 (a copy of which is contained in the Office of the Clerk of the Board of Supervisors) and presented the following resolution for Board consideration at the next Board meeting:

Referred to Board

[Election Results, June 3, 1997]

Resolution declaring the results of the Special Municipal Election conducted June 3, 1997, in the City and County of San Francisco. Clerk of the Board.

File 060-97-007

Referred to Board for Adoption Without Committee Reference Calendar June 30, 1997.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[MEA Arbitration Award]

Ordinance adopting and implementing the provisions of an arbitrator's award dated March 31, 1997 setting the compensation of classifications represented by the Municipal Executives Association for Bargaining Units M and EM for the period July 1, 1996 through June 30, 1998. (Department of Human Resources)

File 93-97-35, Ordinance No. 257-97

(Fiscal Impact.)

Finally passed.

[MOU, MEA, Bargaining Units M and EM]

Ordinance adopting and implementing the provisions of an amendment regarding pay for performance to the Memorandum of Understanding between the City and County and the Municipal Executives Association for Bargaining Units M and EM for the period July 1, 1997 through June 30, 1998. (Mayor Willie L. Brown, Jr.)

File 93-97-43, Ordinance No. 264-97

Finally passed.

[MOU, Mediated Agreement, Bargaining Unit 11AA]

Ordinance implementing the provisions of a mediated agreement between the Union of American Physicians and Dentists and the City and County for Bargaining Unit 11AA to be effective July 1, 1997. (Department of Human Resources)

File 93-97-36, Ordinance No. 258-97

Finally passed.

[MOU, Mediated Agreement, Bargaining Unit 8CC]

Ordinance implementing the provisions of a mediated agreement between the Union of American Physicians and Dentists and the City and County for Bargaining Unit 8CC to be effective July 1, 1997. (Department of Human Resources)

File 93-97-37, Ordinance No. 259-97

Finally passed.

[MOU, Mediated Agreement, DA Investigators]

Ordinance implementing the provisions of a mediated agreement, as amended, between the District Attorney Investigators Association and the City and County for the period July 1, 1997 through June 30, 2001. (Department of Human Resources)

File 93-97-38, Ordinance No. 260-97

Finally passed.

[MOU, Mediated Settlement, Local 21]

Ordinance implementing the provisions of a mediated settlement adopted by the arbitration panel dated May 27, 1997 amending the provisions of the Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County for the period July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-39, Ordinance No. 261-97

Finally passed.

[MOU, Arbitrator's Award, Local 21]

Ordinance implementing the provisions of an arbitrator's award dated May 27, 1997 between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, and the City and County providing for the arbitrable terms of implementation of the Information Technology Study. (Supervisor Kaufman)

File 93-97-6.1, Ordinance No. 256-97

Finally passed.

[Amendment to MOU, Local 250-A]

Ordinance amending Ordinance No. 223-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County regarding wages to be effective July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-40, Ordinance No. 262-97

Finally passed.

[Amendment to MOU, Local 250-A (Multi Unit)]

Ordinance amending Ordinance No. 234-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 250-A (Multi-Unit), and the City and County regarding wages to be effective for the period July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-42, Ordinance No. 263-97

Finally passed.

[MOU, Local 790, Staff Nurse/Per Diem Nurses]

Ordinance adopting and implementing the terms of a Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County for Staff Nurse and Per Diem Nurses to be effective July 1, 1997 through June 30, 2000. (Mayor Willie L. Brown, Jr.)

File 93-97-44, Ordinance No. 265-97

Finally passed.

[MOU, Local 856, Bargaining Unit 11B]

Ordinance adopting and implementing the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856 and the City and County for Bargaining Unit 11B, Supervising Registered Nurses, for the period July 1, 1997 through June 30, 2000. (Mayor Willie L. Brown, Jr.)

File 93-97-45, Ordinance No. 266-97

Finally passed.

#### Recommendations of Rules Committee

Finally Passed

[Constance Kremesec, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Constance Kremesec against the City and County by payment of \$235,000. (City Attorney)

File 45-97-49, Ordinance No. 254-97

(Superior Court No. 980-386.)

Finally passed.

[CCSF v. Dow Corning, et al.]

Ordinance authorizing settlement of litigation of City and County against Dow Corning, et al. for materials and product discounts to City at a value of approximately \$35,000. (City Attorney)

File 46-97-7, Ordinance No. 255-97

(Superior Court No. 983-823.)

Finally passed.

#### Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Tour Bus Prohibition on 15th Avenue]  
Ordinance amending Ordinance Nos. 115-96 and 282-96, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio, to provide that this prohibition on tour buses shall expire on October 31, 1997, rather than June 30, 1997. (Supervisors Teng, Katz, Leal, Yaki, Bierman, Brown)

File 121-97-3, Ordinance No. 270-97

Finally passed.

[Tour Bus Prohibition on 25th Avenue]  
Ordinance amending Ordinance Nos. 88-96 and 281-96, which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar, to provide that this prohibition on tour buses shall expire on October 31, 1997, rather than June 30, 1997. (Supervisors Teng, Katz, Leal, Yaki, Bierman, Brown)

File 121-97-4, Ordinance No. 271-97

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Interim Annual Appropriation Ordinance, FY 1997-98]  
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1998. (Mayor Willie L. Brown, Jr.)

File 101-97-1, Ordinance No. 268-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Interim Annual Salary Ordinance, FY 1997-98]  
Interim Annual Salary Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1998, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the annual appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; for fiscal year ending June 30, 1998. (Mayor Willie L. Brown, Jr.)

File 102-97-1, Ordinance No. 269-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

From Finance Committee Without Recommendation

(Supervisor Kaufman was excused from Voting.)  
See Journal of Proceedings of June 16, 1997.

Finally Passed

[Appropriation, Port Commission]

Ordinance appropriating \$7,550,000, Port Commission, of San Francisco Harbor Operating Fund Loan Revenue, to capital improvement project for relocation of the maintenance facility for fiscal year 1996-97; placing \$6,052,714 on reserve; providing for ratification of action previously taken. (Controller)

File 101-96-83, Ordinance No. 252-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Newsom, Teng - 2.

[Appropriation, Port Commission]

Ordinance appropriating \$477,000, Port Commission, Harbor Operating Funds, to a capital improvement project to relocate tenants from Pier 46 for fiscal year 1996-97. (Controller)

File 101-96-84, Ordinance No. 253-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Newsom, Teng - 2.

The President resumed the Chair.

From Finance Committee Without Recommendation

Finally Passed

[MOU, Locals 790, 535, and 250]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535, and 250 and the City and County to be effective for the period July 1, 1997 through June 30, 2000. (Supervisor Bierman)

File 93-97-46, Ordinance No. 267-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Yaki, Yee - 7.

Noes: Supervisors Kaufman, Leal - 2.

Absent: Supervisors Newsom, Teng - 2.

From Rules Committee Without Recommendation

(Supervisor Ammiano dissenting in Committee.)

Finally Passed

[Burma Ordinance Clarifying Amendments]

Ordinance amending Administrative Code, for the purpose of adding certain clarifying amendments, exempting contracts with public entities from the Burma Ordinance, and applying the Burma Ordinance to contracts for the construction of public works and contracts to be paid out of the treasury of the City and County. (Supervisor Ammiano)

File 97-96-10.1, Ordinance No. 251-97

(Amends Sections 12J.1, 12J.2, 12J.3, 12J.4, 12J.7 and 12J.B.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

NEW BUSINESS

Recommendations of Finance Committee  
Special Meeting

Passed for Second Reading

[Amendment to MOU, Local 200 (S.E.A.M.)]

Ordinance amending Ordinance No. 233-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 200 (S.E.A.M.) and the City and County of San Francisco regarding wages to be effective for the period July 1, 1997 through June 30, 1998. (Also see Files 93-95-46 and 93-95-46.1). (Department of Human Resources)

File 93-97-41, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Compensation, Superior/Municipal Courts, FY97-98]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior and Municipal Courts for the City and County of San Francisco for fiscal year 1997-98. (Superior and Municipal Courts)

File 106-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Airport Leases; Airport Revenue Bonds]

Resolution approving the fuel system lease by and between the City and County of San Francisco acting through its Airport Commission and SFO Fuel Company LLC; approving early termination of a lease between the City and County of San Francisco acting through its Airport Commission and Chevron U.S.A.; approving the issuance of up to \$125,000,000 aggregate principal amount of San Francisco International Airport Special Facilities Lease Revenue Bonds (SFO Fuel Company LLC) in one or more series for the purpose of financing certain fuel system improvements at San Francisco International Airport; approving the maximum interest rate thereon and the Trust Agreement related thereto; and providing for the delegation of certain matters to the Airport Commission. (Airport Commission)

File 170-97-4, Resolution No. 619-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Airport Revenue Bonds]

Resolution approving the issuance of up to \$400,000,000 aggregate principal amount outstanding at any one time of San Francisco International Airport Subordinate Commercial Paper Notes in one or more series for the purpose of financing and refinancing certain capital improvements at San Francisco International Airport; approving the maximum interest rate thereon; approving the issuance of up to



\$435,506,850 aggregate principal amount outstanding at any one time of San Francisco International Airport Subordinate Revenue Notes in one or more series; and approving the maximum interest rate thereon. (Airport Commission)

File 170-97-5, Resolution No. 620-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[BART/Airport Agreements; Airport Revenue Bonds]

Resolution approving the lease between BART and the City and County of San Francisco through its Airport Commission; approving the issuance of up to \$220,000,000 aggregate principal amount of San Francisco Internal Airport Second Series Revenue Bonds in one or more series for the purpose of financing certain capital improvements at San Francisco International Airport and approving the maximum interest rate thereon. (Airport Commission)

File 170-97-6, Resolution No. 621-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendations of Health, Family & Environment Committee

Passed for Second Reading

[Nondiscrimination, Contract, Property Contract]

Ordinance amending Administrative Code Sections 12B.1, 12B.5-1, 12C.5-1 and 12B.6 to amend the definition of "contract" under Chapter 12B to exclude from the scope of Chapter 12B those contracts entered into after June 1, 1997 pursuant to settlement of legal proceedings; and contracts for urgent litigation expenses; to include "property contracts" in subsections (A)(2) and (D) of Sections 12B.5-1 and 12C.5-1; to provide for waiver of Chapter 12B and 12C by the Director of Human Rights Commission for specialized litigation requirements; and to amend Sections 12B.6 and 12C.6 to clarify the proper construction of Chapter 12B in relation to Federal or State laws. (Supervisors Katz, Ammiano, Leal, Bierman)

File 97-97-21.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Pesticides]

Ordinance amending Administrative Code by amending Sections 39.1 through 39.8 and adding Sections 39.9 and 39.10 to establish a city integrated pest management policy and implementation program for the management of pesticide applications on city property by city departments and city contractors using city property and to allow exemptions from the city's policy banning certain pesticide applications on city property. (Supervisors Katz, Bierman)

File 97-97-30, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Grant, Summer Food Services Program]

Resolution authorizing retroactively the Mayor to apply for, accept and expend \$679,499 from the United States Department of Agriculture (USDA), to sponsor the Summer Food Service Program for needy children. (Mayor's Office of Children, Youth and Their Families)

File 68-97-4, Resolution No. 618-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[State Child Care Contract]

Resolution authorizing retroactively the execution of a contract between the City and County of San Francisco and the State of California Department of Education in the amount of \$134,222 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1996-1997. (Department of Human Services)

File 172-97-26, Resolution No. 622-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

[Agreement, Sheriff/Mr. Ben Dorcy]

Resolution authorizing the San Francisco Sheriff's Department to enter into agreement with Mr. Ben Dorcy for mandatory certified CPR and First Aid training, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff)

File 172-97-29, Resolution No. 623-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Agreement, Sheriff/Dr. George Bach-Y-Rita]

Resolution authorizing the San Francisco Sheriff's Department to enter into agreement with Dr. George Bach-Y-Rita for psychiatric evaluation services, which agreement provides for dual indemnification from claims or other damages which may arise as a result of performance under said agreement. (Sheriff)

File 172-97-30, Resolution No. 624-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted

[Contract Award Extension]

Resolution granting extension of time for award for Hetch Hetchy Water & Power Contract No. WP-10, Protective Relay Installation Specification No. M031911. (Public Utilities Commission)

File 61-97-2, Resolution No. 617-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Street Vacation, China Basin Ballpark]

Resolution declaring the intention of the Board of Supervisors to vacate certain street areas within the site at China Basin for the San Francisco Giants Ballpark Project; setting the hearing date of July

14, 1997 for all persons interested in the proposed vacation of the street areas; and adopting findings regarding consistency with the City's General Plan and eight priority policies of City Planning Code Section 101.1; companion measure to File 164-97-3.1. (Supervisor Yaki)

File 164-97-3, Resolution No. 598-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Archeological Curation Agreement]

Resolution requesting approval of the agreement for curation services with the C.E. Smith Museum of Anthropology for a term of 30 years at a total cost not to exceed \$15,000; contingent upon a determination of compliance with Chapter 12B. (Public Transportation Commission)

File 172-97-39, Resolution No. 625-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

The President resumed the Chair.

#### Recess

The Board, at the hour of 2:47 p.m., took a brief recess.

#### Reconvening of the Board

The Board, at the hour of 3:02 p.m., reconvened.

#### SPECIAL ORDER 3:00 P.M.

#### Hearing Held

[Appeal, 2055 Lombard Street]

Hearing appealing decision of Planning Commission by its Motion No. 14365, dated May 1, 1997, approving Conditional Use Application No. 96.774CR, for conditional use authorization to replace two existing light poles and install a total of six antennas on the new poles, and install a base transceiver station on the upper deck of the Lombard Garage in P (Public) District and a 40-X Height and Bulk District, pursuant to Section 234.2 of the Planning Code and adopting a finding of conformity with the General Plan for the proposed project on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets; Lot 9 in Assessor's Block 509.

File 37-97-3

(Categorically exempt from the environmental review process pursuant to Class 1 exemptions of Title 14 of the California Administrative Code.)

(Pursuant to Government Code Section 65009, notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, 401 Van Ness Avenue, Room 308; San Francisco, CA 94102 at, or prior to, the public hearing.)

The following persons were sworn in and granted privilege of the floor:

#### Appellants:

Christina Stout; female speaker; female speaker; Ann Grugan; Linda Turner; Patricia Vaughney.

#### Respondents:

Gerald Green, Department of Planning; William Rutland.

A rebuttal period was allowed.

The President then declared the hearing closed.

Consideration Continued

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the Planning Commission by its Motion No. 14365, approving Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, and adopting findings pursuant to Planning Code Section 101.1. (Also see Files 37-97-3, 37-97-3.2, 37-97-3.3). (Clerk of the Board).

File 37-97-3.1

Supervisor Newsom Excused from Voting

On advice of the City Attorney, Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Leal, seconded by Supervisor Medina, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Supervisor Medina, seconded by Supervisor Ammiano, moved to continue consideration to June 30, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Yaki, Yee - 8.

Noes: Supervisor Brown - 1.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Teng - 1.

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14365, approving Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, and adopting findings pursuant to Planning Code Section 101.1. (Also see Files 37-97-3, 37-97-3.1, 37-97-3.3). (Clerk of the Board)

File 37-97-3.2

Supervisor Medina, seconded by Supervisor Ammiano, moved to continue consideration to June 30, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Yaki, Yee - 8.

Noes: Supervisor Brown - 1.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Teng - 1.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, for action by the Board at its next meeting. (Also see Files 37-97-3, 37-97-3.1, 37-97-3.2). (Clerk of the Board)

File 37-97-3.3

Supervisor Medina, seconded by Supervisor Ammiano, moved to continue consideration to June 30, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Yaki, Yee - 8.

Noes: Supervisor Brown - 1.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Teng - 1.

Hearing Held

[Public Hearing]

Hearing to consider Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1997-1998 pursuant to Public Works Code Articles 4.1 and 4.2.

File 21-97-2, Ordinance No.

(Statutory exemption from environmental review pursuant to Section 21080(b)(8) of the Public Resources Code and 15273 of the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act.)

After a brief presentation from the department, the President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Passed for Second Reading

[Sewer Service Charges, 1997-1998]

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1997-1998 pursuant to Public Works Code Articles 4.1 and 4.2; exempt from environmental review May 22, 1997. (Mayor Willie L. Brown, Jr.)

File 21-97-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki - 9.

Noes: Supervisor Yee - 1.

Absent: Supervisor Teng - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Constance Kuruppu, police misconduct.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[American Red Cross]

Resolution recognizing the American Red Cross Youth for Chinatown Elderly Program. (Supervisors Yee, Katz, Medina, Leal)

File 4-97-28, Resolution No. 599-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Leal requested to be added as co-sponsors.

[Commend Mark Rand]

Resolution commending Mark O. Rand for his long standing distinguished and dedicated service to the City and County of San Francisco with the Departments of Public Works and Parking and Traffic. (Supervisors Newsom, Katz, Medina)

File 6-97-119, Resolution No. 600-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[State Legislation, SB 938]

Resolution supporting California Senate Bill 938 which will provide all permanent resident immigrant Californians with an opportunity to become United States citizens and which will expand citizenship services to elderly, blind, disabled and other non-citizen legal immigrants who are at risk of losing their federal benefits by August 30, 1997. (Supervisors Medina, Katz, Leal)

File 12-97-25, Resolution No. 602-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[SSI Recipient Safety Net]

Resolution urging the California Congressional Delegation and the State Legislature Representatives to adopt legislation which protects the basic safety net for all legal immigrants currently receiving SSI and committing the necessary resources to maintain the subsidies to guarantee a basic safety net for all legal immigrants who are currently receiving SSI. (Supervisors Teng, Katz, Medina, Leal)

File 13-97-23, Resolution No. 603-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Leal requested to be added as co-sponsors.

[Glaxo-Wellcome Drug 1592U89]

Resolution declaring support for Glaxo-Wellcome drug 1592U89 and creation of a large program that would give tens of thousands of people with AIDS access to life-saving antivirals. (Supervisors Ammiano, Katz, Medina, Leal)

File 30-97-13, Resolution No. 604-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Leal requested to be added as co-sponsors.

[Lead Poisoning Prevention - DPH]

Resolution urging Department of Public Health to carry out recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14, Resolution No. 605-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - DBI]

Resolution urging the Department of Building Inspection to carry out the recommendations contained in the Department of Public Health's Annual Report to the Board of Supervisors regarding effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.1, Resolution No. 606-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - DHS]

Resolution urging the Department of Human Services to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.2, Resolution No. 607-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - DPW/Real Estate]

Resolution urging the Department of Public Works and Real Estate to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding the effective implementation of the Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.3, Resolution No. 608-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - Housing Authority]

Resolution urging the San Francisco Housing Authority to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.4, Resolution No. 609-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - Public Library]

Resolution urging the San Francisco Public Library to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.5, Resolution No. 610-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - Mayor's Office]

Resolution urging the Mayor's Office of Children, Youth and Family, Community Development and Housing to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.6, Resolution No. 611-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)



Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - Recreation and Park]

Resolution urging the Recreation and Park Department to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.7, Resolution No. 612-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - Redevelopment Agency]

Resolution urging the San Francisco Redevelopment Agency to carry out the recommendations contained in the Department of Public Health's Annual Report to the Board of Supervisors regarding effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.8, Resolution No. 613-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - SFUSD]

Resolution urging the San Francisco Unified School District to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the Comprehensive Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.9, Resolution No. 614-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - Tax Collector]

Resolution urging the Tax Collector to carry out the recommendations contained in the Department of Public Health's Annual Report to the Board of Supervisors regarding effective implementation of the City's Comprehensive Lead Poisoning Prevention Program. (Supervisors Bierman, Katz, Medina)

File 30-97-14.10, Resolution No. 615-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Lead Poisoning Prevention - Water Department]

Resolution urging the San Francisco Water Department to carry out the Department of Public Health's recommendations contained in its Annual Report to the Board of Supervisors regarding effective implementation of the City's Comprehensive Lead Poisoning Prevention Program and to implement the Board of Supervisors' 1992 and 1996 resolutions urging the Water Department to provide free drinking water testing to certain households. (Supervisors Bierman, Katz, Medina)

File 30-97-14.11, Resolution No. 616-97

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.



In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

(See Journal of Proceedings of July 7, 1997  
for Disapproval by Mayor.)

[Park Patrol]

Resolution recognizing the contribution and work of the Park Patrol unit of the Recreation and Park Department and urging the department to fully fund, train and staff the Park Patrol. (Supervisors Medina, Katz)

File 100-97-2, Resolution No.

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.11

(June 16, 1997 - Introduced in Board for consideration on June 23, 1997.)

Adopted.

[Final Map]

Motion approving final map of 382 Green Street, a Residential Condominium Project, being a subdivision of Lot 24 in Assessor's Block No. 114, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-11

(June 13, 1997 - Referred to Board for consideration on June 23, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Imperative Resolution]

Adopted

[Commend SFSU Wrestling Team]

Resolution commending the outstanding athletic performance of the San Francisco State University Wrestling Team in the National Collegiate Athletic Association Division II Wrestling Championship.

File 006-97-120, Resolution No. 601-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Public Record, Contract/Bid Raters]

Ordinance amending Administrative Code Section 67.24 to specify that the evaluation forms and names of persons serving as raters for any City contract selection or bidding procedures would be subject to public inspection after the evaluation process has been completed. Supervisor Ammiano presented. Referred to Rules Committee.

File 097-97-037.

Referred to Board

[Commend Reverend Charlie Cook, Sr.]

Resolution commending Reverend Charlie Cook, Sr. for his dedication to the City and County of San Francisco. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar June 30, 1997.

File 006-97-121.

[Gift Acceptance]

Resolution accepting a gift of a bust of former Mayor Dianne Feinstein valued at approximately \$30,000 from Richard Blum to the City and County of San Francisco. Supervisors Kaufman, Bierman, Teng, Yaki, Brown, Medina, Ammiano, Katz, Yee, Leal, Newsom presented. Referred to Board for Adoption Without Committee Reference Committee June 30, 1997.

File 038-97-006.

[Election Results, June 3, 1997]

Resolution declaring the results of the Special Municipal Election conducted June 3, 1997, in the City and County of San Francisco. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar June 30, 1997.

File 060-97-007.

[Treasure Island Reuse Plan]

Resolution authorizing the Mayor's Treasure Island Project Office to apply for funds from the California Trade and Commerce Agency's California Defense Adjustment Matching Grant Program to provide funding for critical planning tasks associated with reuse planning for Treasure Island Naval Station, including preparation of an area plan and General Plan amendments and development controls. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 30, 1997.

File 068-97-005.

Referred to Committee

[Ferry Line Feasibility Study]

Resolution requesting the Airport Commission to budget for and approve a study on the feasibility of and pertinent issues to consider in a plan to begin a ferry line between the San Francisco International Airports and the north bay with a stopover at the Ferry Building. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 100-97-004.

[Multifamily Housing Revenue Refunding Bonds]

Resolution authorizing the issuance and delivery of multifamily housing revenue refunding bonds (The "Bonds") in an aggregate principal amount not to exceed \$20,800,000 for the purpose of refunding bonds previously issued to provide financing for City Heights (formerly Sutter/Post Apartments); authorizing sale of bonds; approving form of and authorizing execution of trust indenture, bond purchase contract, sale of bonds, financing agreement providing the terms and conditions for the above and the loan of bond proceeds to the borrower named therein; approving the form of and execution of an amended and restated regulatory agreement, the preparation and distribution of preliminary official statement and official statement relating to bonds, certificate of acceptance of multifamily deed of trust, assignment of rents and security agreements, assignment of deed of trusts, an allonge to multifamily note and delivery of any document necessary to implement this resolution; ratifying and approving any action theretofore taken in connection with the bonds, the project and the refunding of the prior bonds; and related matters. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the July 9, 1997 meeting.

File 170-97-008.

[CEQA, China Basin Ballpark]

Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State guidelines in connection with certain documents relating to the China Basin Ballpark Project, including the disposition and development agreement, the ground lease, the non-relocation agreement and guaranty and approval of the purchase of the CalTrans parcel; companion measure to Files 262-97-2, 262-97-3, 262-97-4. Supervisor Yaki presented. Referred to Finance Committee.

File 262-97-001.

[China Basin Ballpark, Disposition/Development]

Resolution approving and authorizing a lease disposition and development agreement between the City and County, through its Port Commission, and China Basin Ballpark Company LLC, as developer, concerning an agreement to lease certain real property bounded generally by King Street, Second Street, China Basin Channel and Third Street, and governing the development of a new ballpark for the San Francisco Giants and for other commercial, assembly and recreation uses; adopting findings that the agreement is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. Supervisor Yaki presented. Referred to Finance Committee.

File 262-97-002.

[China Basin Ballpark, Ground Lease]

Resolution approving and authorizing a ground lease agreement between the City and County, through its Port Commission, as landlord, and China Basin Ballpark Company LLC, as tenant, concerning the lease of certain real property bounded generally by King Street, Second Street, China Basin Channel and Third Street, for the development and operation of a new ballpark for the San Francisco Giants and for other commercial, assembly and recreation uses; adopting findings that the lease is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. Supervisor Yaki presented. Referred to Finance Committee.

File 262-97-003.

[China Basin Ballpark, Non-Relocation Agreement]

Resolution approving and authorizing a non-relocation agreement and a guaranty from San Francisco Baseball Associates LP, owner of the San Francisco Giants Baseball Team, concerning certain assurances by the team owner for the benefit of the City in connection with the lease and development of a new ballpark at China Basin; adopting findings that the purchase is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. Supervisor Yaki presented. Referred to Finance Committee.

File 262-97-004.

[China Basin Ballpark, CalTrans Parcel]

Resolution approving and authorizing an agreement between the City and County, through its Port Commission, as buyer, and the State of California, Department of Transportation, as seller, for the purchase of real property bounded by King, Second, Berry and Third Streets (AB 3794, Lots 3B and 27), at a purchase price of \$3,600,000; approving and authorizing agreements by the City to indemnify the State for hazardous materials and for the termination of tenancies, in connection with the purchase of the property; adopting findings that the purchase is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. Supervisor Yaki presented. Referred to Finance Committee.

File 262-97-005.

Referred to Board

[ABAG Finance Authority, Amendment]

Resolution amending Resolution No. 532-96 which authorized the execution and delivery of a Joint Exercise of Powers Agreement relating to the ABAG Finance Authority for nonprofit corporations (The Authority) and certain related matters, to delete the requirement that projects located within the City to be financed by The Authority be approved by the Board of Supervisors. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 30, 1997.

File 263-97-001.

[CEQA Findings, China Basin Ballpark]

Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting environmental findings (and a statement of overriding considerations) pursuant to California Environmental Quality Act and State guidelines in connection with certain amendments to the General Plan and amendments to the Rincon Point-South Beach Redevelopment Plan; companion measure to Files 271-97-05 and 151-97-3. Supervisor Yaki presented. Referred to Board sitting as a Committee of the Whole June 30, 1997.

File 271-97-005.01.

Requests for Hearings:

[Electoral Reform Committee]

Hearing on the current status of the electoral reform committee. Supervisors Ammiano, Bierman presented. Referred to Rules Committee.

File 060-97-008.

[Tobacco Settlement]

Hearing to consider the public health implications from the proposed federal tobacco case settlement. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 194-97-005.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-057. [Guy Rice v. CCSF, et al.] Ordinance authorizing settlement of litigation of Guy Rice against the City and County of San Francisco by payment of \$65,000. (United States District Court No. C96-1396). (City Attorney) Referred to Rules Committee.

File 045-97-058. [Rudi Acosta v. CCSF, et al.] Ordinance authorizing settlement of litigation of Rudi Acosta against the City and County of San Francisco by payment of \$378,000. (United States District Court No. C92-4321). (City Attorney) Referred to Rules Committee.

File 045-97-059. [Settlement of Union Grievance] Ordinance authorizing settlement of the grievance filed by International Federation of Professional and Technical Engineers, Local 21, AFL-CIO on behalf of Ray Rivera regarding his termination from the Department of Public Health in the amount of Thirty Four Thousand, One Hundred Sixty One Dollars and Twenty Cents (\$34,161.20). (City Attorney) Referred to Rules Committee.

File 097-97-035. [Regulation of Lobbyists] Ordinance amending Article XIIA of the San Francisco Administrative Code by amending Sections 16.523, 16.524, and 16.526 to: Broaden the definition of City officers to include members of the Board of Education, Community College Board, Housing Authority, Redevelopment Agency, and Transportation Authority; increase lobbyist registration fees to \$375 from \$35; increase lobbyist client fees to \$100 from \$15; increase late filing fees to \$25 per day from \$10 per day; and provide that whenever a lobbyist is required to report the salary of an employee who is

also an officer of the City and County, the lobbyist need only disclose whether the total salary payment was less than or equal to \$250, greater than \$250 but less than or equal to \$1,000, greater than \$1,000 but less than or equal to \$10,000, or greater than \$10,000. (Ethics Commission) Referred to Rules Committee.

#### Resolutions Referred to Committee

File 027-97-007. [Grant, Airport Demonstration Project] Resolution authorizing the Airport Commission to apply for, accept and expend fund of up to \$147,000 for a Compressed Natural Gas (CNG) Van Demonstration Project from the Bay Area Air Quality Management District's Transportation Fund for Clean Air (TFA); waiving indirect costs. (Airport Commission) Referred to Finance Committee.

File 040-97-012. [Residential Parking Area "I", Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 048-97-042. [Settlement of Claim, Faye Bernstein] Resolution approving the settlement of the unlitigated claim of Faye Bernstein by payment of \$90,000. (City Attorney) Referred to Rules Committee.

File 048-97-043. [Settlement of Claim, Cheryl Trimm] Resolution approving the settlement of the unlitigated claim of Cheryl Trimm by payment of \$12,000. (City Attorney) Referred to Rules Committee.

File 048-97-044. [Settlement of Claim, Joseph Suk Yoon] Resolution approving the settlement of the unlitigated claim of Joseph Suk Yoon by payment of \$9,000. (City Attorney) Referred to Rules Committee.

File 048-97-045. [Settlement of Claim, Charles and Megan Ackerley] Resolution approving the settlement of the unlitigated claim of Charles and Megan Ackerley by payment of \$14,852.79. (City Attorney) Referred to Rules Committee.

File 061-97-003. [Contract Award Extension, MUNI Railway] Resolution approving extension of time to award Municipal Railway Contract No. MR-1020-R2 Cable Car Barn - Furnish and Install Oil Separator System. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 082-97-001. [Grant of Easement, Santa Clara County] Resolution authorizing a grant of easement to Santa Clara County Transit District over City-owned property known as Assessor's Parcel Number 160-55-001 in Mountain View, California. (Real Estate Department) Referred to Finance Committee.

File 172-97-042. [State Mental Health Performance Contract] Resolution approving the San Francisco City and County Performance Contract for Mental Health Services in fiscal year 1996-97. (Department of Public Health) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Ammiano, Bierman, that letter be sent to Castro Theater congratulating them for 75 years of service to San Francisco and the Bay Area.

By Supervisors Ammiano, Bierman, that letter be sent to Byron McQuarters commending him for his service on the San Francisco Sunshine Ordinance Task Force.

By Supervisor Ammiano, that letter be sent to the members of the State Budget Conference Committee of the State Assembly to support the inclusion of immigrants in the State funded food stamps program.

By Supervisor Yaki, that City Attorney prepare ordinance extending the expiration date of Traffic Code Section 33.1A, restricted parking around construction activity.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

John F. Sapp (Supervisor Bierman)  
Margaret Sigel (Supervisors Bierman, Kaufman)  
Florence Rodin (Supervisor Bierman)  
Sammie Martin Sr. (Supervisor Brown)

File 2-97-25

Unanimously adopted by a rising vote.

Monday, June 23, 1997

ADJOURNMENT

There being no further business, the Board at the hour of 4:19 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 15, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

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Monday, June 30, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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Monday, June 30, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Medina, Newsom, Yaki, Yee - 7.

Noted absent at first roll call:

Supervisors Brown, Katz, Leal, Teng - 4.

Quorum present.

Supervisor Brown was noted present at 2:03 p.m.

Supervisor Katz was noted present at 2:05 p.m.

Supervisor Leal was noted present at 2:03 p.m.

Supervisor Teng excused. (See Journal of Proceedings of June 23, 1997.)

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, April 7, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Leal, Yaki, Yee - 9.

Absent: Supervisors Katz, Teng - 2.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Katz requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Nondiscrimination, Contract, Property Contract]  
Ordinance amending Administrative Code Sections 12B.1, 12B.2, 12B.4, 12B.5-1, ((12C.5-1 and)) 12B.6, 12C.1, 12C.3, 12C.5-1 and 12C.6 to amend the definition of "contract" under Chapter 12B to exclude from the scope of Chapter 12B those contracts entered into after June 1, 1997 pursuant to settlement of legal proceedings; and contracts for urgent litigation expenses; to include "property contracts" in subsections (A)(2) and (D) of Sections 12B.5-1 and 12C.5-1; to provide for waiver of Chapter 12B and 12C by the Director of Human Rights Commission for specialized litigation requirements; to clarify the geographic application of Chapters 12B and 12C; and to amend Sections 12B.6 and 12C.6 to clarify the proper construction of Chapter 12B in relation to Federal or State laws. (Supervisors Katz, Ammiano, Leal, Bierman)

File 97-97-21.1, Ordinance No.

Supervisor Katz, seconded by Supervisor Yee, moved an amendment of the whole entitled, "Ordinance amending Administrative Code Sections 12B.1, 12B.2, 12B.4, 12B.5-1, 12C.5-1, 12B.6, 12C.1, 12C.3, 12C.5-1 and 12C.6 to amend the definition of "contract" under Chapter 12B to exclude from the scope of Chapter 12B those contracts entered into after June 1, 1997 pursuant to settlement of legal proceedings; and contracts for urgent litigation expenses; to include "property contracts" in subsections (A)(2) and (D) of Sections 12B.5-1 and 12C.5-1; to provide for waiver of Chapter 12B and 12C by the Director of Human Rights Commission for specialized litigation requirements; to clarify the geographic application of Chapters 12B and 12C; and to amend Sections 12B.6 and 12C.6 to clarify the proper construction of Chapter 12B in relation to Federal or State laws."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

#### Consent Calendar

##### Recommendations of Finance Committee

###### Finally Passed

[Amendment to MOU, Local 200 (S.E.A.M.)]

Ordinance amending Ordinance No. 233-95 to implement the provisions of an amendment to the Memorandum of Understanding between the Transport Workers Union, Local 200 (S.E.A.M.) and the City and County of San Francisco regarding wages to be effective for the period July 1, 1997 through June 30, 1998. (Department of Human Resources)

File 93-97-41, Ordinance No. 273-97

Finally passed.

[Compensation, Superior/Municipal Courts, FY97-98]

Ordinance setting schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior and Municipal Courts for the City and County of San Francisco for fiscal year 1997-98. (Superior and Municipal Courts)

File 106-97-1, Ordinance No. 275-97

Finally passed.

##### Recommendations of Health, Family & Environment Committee

###### Finally Passed

[Pesticides]

Ordinance amending Administrative Code by amending Sections 39.1 through 39.8 and adding Sections 39.9 and 39.10 to establish a city integrated pest management policy and implementation program for the management of pesticide applications on city property by city departments and city contractors using city property and to allow exemptions from the city's policy banning certain pesticide applications on city property. (Supervisors Katz, Bierman)

File 97-97-30, Ordinance No. 274-97

Finally passed.

##### Recommendations of Rules Committee

Passed for Second Reading

[Connie Dodson v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Connie Dodson against the City and County by payment of \$6,000. (City Attorney)

File 45-97-51, Ordinance No.

(Superior Court No. 975-472.)

Passed for second reading.

[Imelda Tanega v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Imelda Tanega against the City and County by payment of \$22,000. (City Attorney)

File 45-97-52, Ordinance No.

(Superior Court No. 971-856.)

Passed for second reading.

[Aaron Jones, et al. v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Aaron Jones against the City and County by payment of \$9,000. (City Attorney)

File 45-97-53, Ordinance No.

(Municipal Court No. 130-209.)

Passed for second reading.

[Margie Owen, et al. v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Margie Owen against the City and County by payment of \$25,000. (City Attorney)

File 45-97-54, Ordinance No.

(Superior Court No. 977-528.)

Passed for second reading.

[Maria Teresa Hernandez v. CCSF, et. al.]  
Ordinance authorizing settlement of litigation of Maria Teresa Hernandez against the City and County by payment of \$11,250. (City Attorney)

File 45-97-55, Ordinance No.

(Municipal Court No. 130-826.)

Passed for second reading.

[Sheri Einhorn v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Sheri Einhorn against the City and County by payment of \$65,000. (City Attorney)

File 45-97-56, Ordinance No.

(Superior Court No. 954-281.)

Passed for second reading.

Adopted

[Gift Acceptance]  
Resolution accepting gift of a vehicle from the State of California Department of Food and Agriculture to the City's Department of Agriculture/Weights and Measures to assist the City in performing activities required under the State pest detection and trapping program. (Department of Agriculture, Weights and Measures)

File 38-97-4, Resolution No. 636-97

Adopted.

[Settlement of Claim, Helen Nett]

Resolution approving the settlement of the unlitigated claim of Helen Nett by payment of \$15,000.00.  
(City Attorney)

File 48-97-38, Resolution No. 638-97

Adopted.

[Settlement of Claim, GE Medical System]

Resolution approving the settlement of the unlitigated claim of GE Medical System by payment of \$6,622.55. (City Attorney)

File 48-97-39, Resolution No. 639-97

Adopted.

[Settlement of Claim, Grange Insurance Company]

Resolution approving the settlement of unlitigated claim of Grange Insurance Co. as subrogee for Timothy, Dorothy and Rachel Renstrom by payment of \$11,001.81. (City Attorney)

File 48-97-40, Resolution No. 640-97

Adopted.

[Settlement of Claim, Daphne Togiai]

Resolution approving the settlement of the unlitigated claim of Daphne Togiai by payment of \$8,000.00.  
(City Attorney)

File 48-97-41, Resolution No. 641-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Consideration Continued

(Only one of the following two motions should be adopted.)

Supervisor Newsom Excused From Voting

Supervisor Newsom was excused from voting on the following three items. See Journal of Proceedings of June 23, 1997.

[Zoning Appeal]

Motion approving decision of the Planning Commission by its Motion No. 14365, approving Conditional Use Application No. 96-774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 37-97-3.2, 37-97-3.3. (Clerk of the Board).

File 37-97-3.1

(Filed May 30, 1997.)

(June 23, 1997 - Consideration continued to June 30, 1997.)

Supervisor Yee, seconded by Supervisor Ammiano, moved to continue consideration to July 7, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Yee - 6.

Noes: Supervisors Brown, Kaufman, Yaki - 3.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Teng - 1.

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14365, approving Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 37-97-3.1, 37-97-3.3. (Clerk of the Board)

File 37-97-3.2

(June 23, 1997 - Consideration continued to June 30, 1997.)

Supervisor Yee, seconded by Supervisor Ammiano, moved to continue consideration to July 7, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Yee - 6.

Noes: Supervisors Brown, Kaufman, Yaki - 3.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Teng - 1.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, for action by the Board at its next meeting; companion measure to Files 37-97-3.1, 37-97-3.2. (Clerk of the Board)

File 37-97-3.3

(June 23, 1997 - Consideration continued to June 30, 1997.)

Supervisor Yee, seconded by Supervisor Ammiano, moved to continue consideration to July 7, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Yee - 6.

Noes: Supervisors Brown, Kaufman, Yaki - 3.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Teng - 1.

Finally Passed

[Sewer Service Charges, 1997-1998]

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1997-1998 pursuant to Public Works Code Articles 4.1 and 4.2; exempt from environmental review May 22, 1997. (Mayor Willie L. Brown, Jr.)

File 21-97-2, Ordinance No. 272-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

NEW BUSINESS

From Economic Development, Transportation and Technology Committee  
Without Recommendation

Adopted

(See Journal of Proceedings of July 14, 1997 for  
Mayor's Disapproval.)

[Supporting Completion of the Caltrain FEIS/EIR]  
Resolution requesting that the work being done on the Downtown extension project reports and studies be completed and presented to the Board with conclusions; and instructing San Francisco representatives on the Joint Powers Board to communicate this resolution and the resolution adopted by the San Francisco Board of Supervisors on May 12 endorsing the Main/Beale South Design concept and program for a replacement facility for the Transbay Transit Terminal. (Supervisors Bierman, Katz)

File 85-97-3, Resolution No.

Supervisor Kaufman Excused from Voting

Supervisor Kaufman requested to be excused from voting on this item.

Thereupon, Supervisor Leal, seconded by Supervisor Yaki, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting on this item.

Supervisor Ammiano, seconded by Supervisor Katz, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Yaki, Yee - 7.

Noes: Supervisor Brown - 1.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

Recommendations of Rules Committee

Passed for Second Reading

[Public Health Membership in Organizations]  
Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 97-97-32, Ordinance No.

(Amends Section 16.6-10.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Appointment]

Resolution appointing member to the Comprehensive Community Policing and Public Safety Strategy Task Force. (Rules Committee)

File 92-95-35.1, Resolution No. 626-97

(Michael T. Ege, Seat No. 29708, public at large, for term ending September 1, 2000.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, for new four-year term ending August 20, 1999. (Rules Committee)

File 92-95-39, Resolution No. 627-97

(Richard McGuire, vice Darnisha Wright, Seat No. 26606, must represent the Housing Authority, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Civil Grand Jury Act 1997]

Resolution declaring support for the Civil Grand Jury Training Communication and Efficiency Act of 1997 (AB 829). (Supervisors Ammiano, Bierman, Brown, Katz, Leal)

File 12-97-19, Resolution No. 635-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

(Pursuant to the provisions of Rule 2.33.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.)

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

From Rules Committee with Recommendation "Do Submit"

Consideration Continued

[Charter Amendment, Youth Commission]

Charter amendment (Second Draft) amending Sections 4.122 through 4.124 to create staggered terms for members, certify removal of members, allow for compensation, amend quorum and voting requirements, give non-exclusive authority to conduct programs related to children and youth, to authorize Commission recommendation of applicants and to delete obsolete material. (Supervisor Newsom)

File 255-97-1

Supervisor Newsom, seconded by Supervisor Leal, moved to continue consideration to July 14, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Charter Amendment, Contract/Lease Limitations]

Charter Amendment (First Draft) repealing Section 2.110, governing Board of Supervisors' approval of the sale or lease of real property, and amending Section 9.118, governing the Board of Supervisors' approval of contracts, to incorporate the provisions of former Section 2.110 and add further provisions governing the Board of Supervisors' approval of the sale or lease of real property. (Supervisor Kaufman)

File 256-97-1

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to July 7, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Charter Amendment, Safety Employees Retirement]

Charter amendment (First Draft) amending Appendix A8.559-14 and 8.585-14, relating to retirement benefits for safety employees who transferred membership under the retirement system to Sections 8.586 or 8.588 effective July 1, 1980. (Supervisors Katz, Ammiano)

File 257-97-1

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to July 7, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

From Rules Committee Without Recommendation

Consideration Continued

[Charter Amendment, Street Name Changes]

Charter amendment (Second Draft) amending the Charter by adding Section 2.118 to provide that no street name shall be changed without prior voter approval. (Supervisors Newsom, Kaufman)

File 239-97-1

Supervisor Newsom, seconded by Supervisor Leal, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) San Francisco v. Bank of America, S.F. Superior Court No. 96B-484, and (2) Carpenter v. San Francisco, U.S. District Court No. C-90-1836 MMC, as permitted by Government Code Section 54956.9(a).

Supervisor Leal, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recess

The Board recessed at the hour of 2:21 p.m. to convene in closed session.



Reconvening of the Board

The Board reconvened at 2:57 p.m.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Noted absent:

Supervisors Bierman, Newsom, Teng - 3.

Quorum present.

Supervisor Bierman was noted present at 2:58 p.m.

Supervisor Newsom was noted present at 2:50 p.m.

Supervisor Teng was excused. (See supra.)

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors met with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) San Francisco v. Bank of America, S.F. Superior Court No. 968-484, and (2) Carpenter v. San Francisco, U.S. District Court No. C-90-1836 MMC, as permitted by Government Code Section 54956.9(a). The meeting was informational only and no action was requested or taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Leal, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to approving the amendment to the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area in connection with the 42,000 seat major league ballpark in the China Basin area as follows: (1) Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting environmental findings (and a statement of overriding considerations) pursuant to California Environmental Quality Act and State guidelines in connection with certain amendments to the General Plan and amendments to the Rincon Point-South Beach Redevelopment Plan; (2) Ordinance amending Rincon Point-South Beach Redevelopment Plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically including Lots 38 and 27 on Assessor's Block 3794 and Piers 46B and 46C, seawall lot 336 and portion of seawall lot 335, including streets on Assessor Block 9900; (3) Ordinance approving amendments to the urban design and recreation and open space elements and the Northeastern Waterfront Plan of the San Francisco General Plan.

Files 151-97-3, 271-97-5, 271-97-5.1

The privilege of the floor was granted to the following persons:

Speaking in support: Mimi Silbert; Jim Chappel, Chris Ketton; Ernestine Weiss; Frances Zander; Angie Alarcon; Jim Ross; Sue Loder; Dennis McKenzie; Mary Hade; Richard Herrera; Trinity Savage; Cheryl A. Cross; Matt Regan; Henry Louie; Richard Abraham; Larry Baer

The Honorable Mayor Willie L. Brown, Jr. appeared and spoke in favor of the proposal.

Speaking in opposition: Jeffrey Leibovitz; Constance Kurrupu; Elizabeth Carney.

No position: Rafael Espinoza; Rich Morisno; Leslie Caplan; Leslie Williams.

Representatives from the San Francisco Redevelopment Agency, Planning commission and the Mayor's office gave a brief presentation.

There being no one else present wishing to speak, the President declared the public hearing closed.

#### Supervisor Kaufman Excused from Voting

Supervisor Kaufman requested to be excused from voting on the following three items.

Supervisor Leal, seconded by Supervisor Yaki, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting on the following three items.

Thereupon, Supervisor Ammiano, seconded by Supervisor Katz, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### Committee of the Whole Rise and Report Without Recommendation

Adopted as Amended

[CEQA Findings, China Basin Ballpark]

Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting environmental findings (and a statement of overriding considerations) pursuant to California Environmental Quality Act and State guidelines in connection with certain amendments to the General Plan and amendments to the Rincon Point-South Beach Redevelopment Plan; companion measure to Files 271-97-5 and 151-97-3. (Supervisor Yaki)

File 271-97-5.1, Resolution No. 645-97

Supervisor Yaki, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

Supervisor Yaki, seconded by Supervisor Bierman, moved to amend page four, line 21, after "Attachment A" by inserting "as amended June 30, 1997"; amend Attachment A, page 18, by inserting "11. The City will consider inclusion of measures to protect and conserve existing housing, neighborhood parking and neighborhood character and minimize intrusion of ballpark traffic and related parked cars into residential areas. The city will propose public improvements over time such as traffic control and signal improvements, programmable parking meters, preferential parking programs, street resurfacing and restriping, improvements to sidewalks, new street lamps, litter receptacles and signage that will maintain the attractiveness and livability of adjacent neighborhoods."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

Passed for Second Reading as Amended

[Ballpark, Rincon Point-South Beach]

Ordinance amending Ordinance No. 14-81, amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92, 430-94 and 119-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically including Lots 38 and 27 on Assessor's Block 3794 and Piers 46B and 46C, seawall lot 336 and portion of seawall lot 335, including streets on Assessor Block 9900; companion measure to Files 271-97-5 and 271-97-5.1. (Supervisor Yaki)

File 151-97-3, Ordinance No.

Supervisor Yaki, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

Passed for Second Reading

[Ballpark, General Plan Amendments]

Ordinance approving amendments to the urban design and recreation and open space elements and the Northeastern Waterfront Plan of the San Francisco General Plan; companion measure to Files 151-97-3 and 271-97-5.1. (Supervisor Yaki)

File 271-97-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, Ferry Park, Embarcadero traffic, oppose De Young Museum move;  
Patricia Vaughney, De Young Museum, Lombard Street;  
Martina Gillis, welfare reform funding for childcare and jobs;  
Male speaker, return Hong Kong to China.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Reverend Charlie Cook, Sr.]  
Resolution commending Reverend Charlie Cook, Sr. for his dedication to the City and County of San Francisco. (Supervisors Brown, Bierman, Katz)

File 6-97-121, Resolution No. 628-97

(June 23, 1997 - Introduced in Board for consideration on June 30, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Gift Acceptance]  
Resolution accepting gift of a bust of former Mayor Dianne Feinstein valued at approximately \$30,000 from Richard Blum to the City and County of San Francisco. (Supervisors Kaufman, Bierman, Teng, Yaki, Brown, Medina, Ammiano, Katz, Yee, Leal, Newsom)

File 38-97-6, Resolution No. 637-97

(June 23, 1997 - Introduced in Board for consideration on June 30, 1997.)

Adopted.

[Election Results, June 3, 1997]  
Resolution declaring the results of the Special Municipal Election conducted June 3, 1997, in the City and County of San Francisco. (Clerk of the Board)

File 60-97-7, Resolution No. 642-97

(June 23, 1997 - Introduced in Board for consideration on June 30, 1997.)

Adopted.

[Treasure Island Reuse Plan]  
Resolution authorizing the Mayor's Treasure Island Project Office to apply for funds from the California Trade and Commerce Agency's California Defense Adjustment Matching Grant Program to provide funding for critical planning tasks associated with reuse planning for Treasure Island Naval Station, including preparation of an area plan and General Plan amendments and development controls. (Supervisor Yaki)

File 68-97-5, Resolution No. 643-97

(June 23, 1997 - Introduced in Board for consideration on June 30, 1997.)

Adopted.

[ABAG Finance Authority, Amendment]  
Resolution amending Resolution No. 532-96 which authorized the execution and delivery of a Joint Exercise of powers agreement relating to the ABAG Finance Authority for nonprofit corporations (The Authority) and certain related matters, to delete the requirement that projects located within the City to be financed by The Authority be approved by the Board of Supervisors. (Supervisor Kaufman)

File 263-97-1, Resolution No. 644-97

(June 23, 1997 - Introduced in Board for consideration on June 30, 1997.)

Adopted.

[Commending Geoffrey Kors]

Resolution commending Geoffrey Kors for his contributions to the City and County of San Francisco.  
(Supervisor Katz)

File 6-97-122, Resolution No. 629-97

(June 25, 1997 - Referred to Board for consideration on June 30, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

#### [Imperative Resolutions]

Adopted

[Commend Carl Breedlove]

Resolution commending the humanitarian work and principles of "Voluntary Service, Unity, Universality, Humanity, Impartiality, Neutrality and Independence" as exhibited by Red Cross Volunteer Carl Breedlove.

File 006-97-123, Resolution No. 630-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

[Commend Candelaria Claros]

Resolution commending the humanitarian work and principles of "Voluntary Service, Unity, Universality, Humanity, Impartiality, neutrality and independence as exhibited by Red Cross Volunteer Candelaria Claros.

File 006-97-124, Resolution No. 631-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

[Commend Marice Murphy]

Resolution commending the humanitarian work and principles of "Voluntary Service, Unity, Universality, Humanity, Impartiality, Neutrality and Independence" as exhibited by Red Cross Volunteer Marice Murphy.

File 006-97-125, Resolution No. 632-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

[Commend La Raza Centro Legal]

Resolution commending La Raza Centro Legal for 24 years of service to the community.

File 006-97-126, Resolution No. 633-97

Supervisors Medina, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

[Commend Myrna Melgar-Iton]

Resolution commending Myrna Melgar-Iton for exemplary service to the people of San Francisco.

File 006-97-127, Resolution No. 634-97

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Yaki, Yee - 9.

Absent: Supervisors Newsom, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Red Light Camera Enforcement Program]

Ordinance authorizing execution of contract between the Department of Parking and Traffic and a bidder it deems responsive to provide construction and professional services for the red light camera enforcement program; waiving competitive bidding requirements of Section 21.6 of the San Francisco Administrative Code. Supervisor Leal presented. Referred to Finance Committee.

File 172-97-047.

Referred to Board

[Proclamation]

Resolution declaring July 13, 1997 as "Jose Angel Mora Castellon and Carmen Torres De Mora Day" in honor of their 60th wedding anniversary. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar July 7, 1997.

File 004-97-029.

[Commendation]

Resolution recognizing the Alliance for Preserving the Truth of Sino-Japanese War. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar July 7, 1997.

File 006-97-128.

[Breast Cancer Study]

Resolution urging the Centers for Disease Control to fund a study of the causes of high breast cancer rates in the San Francisco Bay Area. Supervisor Bierman presented. Referred to Board for Adoption without Committee Reference Calendar July 7, 1997.

File 013-97-024.

[Youth Campus, Fort Baker]

Resolution urging the President to utilize the National Parks Services properties at Fort Baker to develop a youth campus. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar July 7, 1997.

File 013-97-025.

Requests for Hearings:

[Central Freeway Alternatives]

Hearing to consider and select the preferred alternative for the Central Freeway replacement project, considering all five previous CalTrain alternatives, as well as new Alternative 3b. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 085-97-001.01.

[Public Utilities Commission]

Hearing to consider the infrastructure needs of the Public Utilities Commission. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 191-97-004.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar July 7, 1997.

File 030-97-001.12.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-060. [Weiju Cui v. CCSF, et al.] Ordinance authorizing settlement of litigation of Weiji Cui against the City and County of San Francisco by payment of \$15,000. (Municipal Court No. 138-465). (City Attorney) Referred to Rules Committee.

File 045-97-061. [Shek Yiu Chan v. CCSF, et al.] Resolution authorizing settlement of litigation of Shek Yiu Chan against the City and County of San Francisco by payment of \$100,000 plus a waiver of a medical reimbursement lien of \$10,500. (Superior Court No. 974-914). (City Attorney) Referred to Rules Committee.



File 045-97-062. [Estate of David J. Arnold, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of estate of David J. Arnold, et al. against the City and County and County of San Francisco, et al. by payment of \$1,500,000. (Consolidated Actions: United States District Court No. C96-3754 MMC, United States District Court No. C97-0587 MMC). (City Attorney) Referred to Rules Committee.

File 045-97-063. [Keith Klippensteen v. CCSF, et al.] Ordinance authorizing settlement of litigation of Keith Klippensteen against the City and County of San Francisco by payment of \$50,000. (Superior Court No. 974-321). (City Attorney) Referred to Rules Committee.

File 045-97-064. [Gradon Knotts, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Gradon Knotts against the City and County of San Francisco by payment of \$8,750. (Superior Court No. 979-307). (City Attorney) Referred to Rules Committee.

File 046-97-008. [CCSF v. Burns International Security Services] Ordinance authorizing settlement of litigation of City and County of San Francisco v. Burns International Security Services; Borg-Warner Protective Services Corporation, dba Burns International Security Services, by payment of \$25,000 by Burns to the City. (Superior Court No. 976-811). (City Attorney) Referred to Rules Committee.

File 097-97-036. [Public Works Membership in Organizations] Ordinance amending Administrative Code by amending Section 16.6-9 thereof, adding certain organizations to the membership list of the Department of Public Works and repealing Section 16.6-9.1. (Department of Public Works) Referred to Rules Committee.

#### Resolutions Referred to Committee

File 025-97-011. [Prop J Contract, Budget Analyst] Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board) Referred to Finance Committee.

File 027-97-008. [Grant, CalTrain-SFO Shuttle Service] Resolution authorizing the Airport Commission to seek, accept and expend funds for a CalTrain SFO Shuttle from the Bay Area Air Quality Management District's Transportation Fund for Clean Air (TFCA) for the 1998 service year; waiving indirect costs. (Airport Commission) Referred to Finance Committee.

File 040-97-013. [Residential Parking Area "V", Balboa Park] Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 040-97-014. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic). Referred to Housing and Neighborhood Services Committee.

File 040-97-015. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 048-97-046. [Settlement of Claim, State Farm Insurance Company] Resolution approving the settlement of the unlitigated claim of State Farm Insurance Company by payment of \$9,536.36. (City Attorney) Referred to Rules Committee.

File 048-97-047. [Settlement of Claim, IIT Hartford Insurance] Resolution approving the settlement of the unlitigated claim of IIT Hartford Insurance by payment of \$15,396.71. (City Attorney) Referred to Rules Committee.

File 172-97-043. [State Medi-Cal Hold Harmless Agreement, FY 1996-97] Resolution authorizing the Department of Public Health Community Substance Abuse Services, to enter into a Combined Negotiated Net Amount and Drug Medi-Cal Hold Harmless Agreement retroactive to July 1, 1996 for the term July 1, 1996 through June 30, 1997 with the State of California, Department of Alcohol and Drug Programs in the amount of \$17,066,667 as a condition of receiving State funds for substance abuse treatment; authorizing and designating the Director of Community Substance Abuse Services to sign said agreement and to approve contract amendments for less than ten percent (10%) of the contracted amount. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-044. [State Medi-Cal Hold Harmless Agreement, FY 1997-98] Resolution authorizing the Department of Public Health Community Substance Abuse Services, to enter into a Combined Negotiated Net Amount and Drug Medi-Cal Hold Harmless Agreement for the term July 1, 1997 through June 30, 1998 with the State of California, Department of Alcohol and Drug Programs in the amount of \$15,930,495 as a condition of receiving State funds for substance abuse treatment; authorizing and designating the Director of Community Substance Abuse Services to sign said agreement and to approve contract amendments for less than ten percent (10%) of the contracted amount. (Department of Public Health) Referred to Health, Family and Environment Committee.



File 172-97-045. [Pacific Telesis Community Partnership] Resolution authorizing the City and County of San Francisco to join with other public interest organizations in participating in the Pacific Telesis Community Partnership Commitment. (City Attorney) Referred to Economic Development Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that letters be sent to the Director, Department of Building Inspection and Chief, Fire Department, concerning bars on windows to determine what mechanism is in place to monitor whether these bars on windows have release mechanisms and what plans can be developed to provide funding for quick release bars for low income families.

By Supervisor Katz, that letter be sent to Director, Department of Environment, to determine the health effects to the residents of cleaning the Bayview Hunters Point Shipyard to industrial standards versus residential standards.

By Supervisor Katz, that letter be sent to Director, Department of Environment, requesting review and report on the plans to clean the toxic waste at the China Basin ballpark site.

By Supervisor Newsom, that City Attorney prepare ordinance (per Health and Safety Code Section 17958.4) which would set a date one year beyond its enactment in which all residential property with security bars shall meet current state and local requirements for release mechanisms, to require all buildings so equipped to have permits for these bars and to ensure that smoke detectors are appropriately installed in these units.

By Supervisor Newsom, that City Attorney prepare ordinance which would create a full time, one year Fire Marshal position (with task of performing windshield surveys of buildings with safety bars and to ensure that smoke detectors are appropriately installed in these units) to be funded by building inspection fees collected from security bar permits and that any excess permit and inspection fee money be made available as grant money to low-income persons who need to install these security bars (based on Oakland City Council draft model).

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Father Giles Valcovich (Supervisors Medina, Bierman)

File 2-97-26

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:42 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 22, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



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Monday, July 7, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 7, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Brown, Newsom - 2.

Quorum present.

Supervisor Brown excused. (See infra.)

Supervisor Newsom excused. (See infra.)

Supervisors Brown and Newsom Excused

The Clerk stated Supervisors Brown and Newsom requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Teng, moved to excuse Supervisors Brown and Newsom from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, April 21, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

COMMUNICATION

The Clerk presented the following communication from his Honor, Mayor Willie L. Brown, Jr. returning with his disapproval the resolution concerning the Park Patrol Unit:

July 3, 1997

Honorable Barbara Kaufman, President  
San Francisco Board of Supervisors  
Members, San Francisco Board of Supervisors  
401 Van Ness Avenue, Room 308  
San Francisco, CA 94102

Dear President Kaufman and Members:

Monday, July 7, 1997

I am returning to the Board with my disapproval the Resolution recognizing the contribution and work of the Park Patrol Unit of the Recreation and Park Department and urging the Department to fully fund, train and staff the park patrol (File No. 100-97-2.)

I am concerned about adding yet another full funding, full staffing policy for a Commission. We have numerous city departments who are obligated to provide either a certain level of funding or staffing. I believe this resolution, if approved, would undermine the Recreation and Park Commission's decision making process to fund the services they deem necessary to meet their departments' responsibilities. Commissions should forward to the Mayor and the Board funding requests that they feel appropriate to meet the mission of their departments. The Mayor and Board of Supervisors can then make whatever changes they believe are required.

I hope to work cooperatively with Supervisor Medina on a resolution which I could support. I agree with Supervisor Medina that San Francisco should recognize the need for security and safety in San Francisco Parks, as well as the need for education and enforcement of existing park regulations to allow for the enjoyment of Recreation and Parks facilities.

The Park Patrol unit is not a law enforcement unit. They provide information and permit assistance for visitors to Golden Gate Park as well as 3Com Park. They will call law enforcement if they see an incident that needs attention.

Let me reiterate, I would sign a Resolution urging the Recreation and Park Commission to review the funding and staffing level of the Park Patrol Unit in order to provide appropriate service to the public.

Sincerely,

Willie L. Brown, Jr.  
Mayor

Returned Disapproved by the Mayor;  
Consideration Continued

[Park Patrol]  
Resolution recognizing the contribution and work of the Park Patrol unit of the Recreation and Park Department and urging the department to fully fund, train and staff the Park Patrol.

File 100-97-002.

The Clerk stated pursuant to Board of Supervisors Rule 4.15 the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is presented to the Board.

Supervisor Medina, seconded by Supervisor Leal, moved to continue consideration to July 21, 1997.

No objection and motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

#### CONSENT CALENDAR

#### Recommendations of Rules Committee

Finally Passed

[Connie Dodson v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Connie Dodson against the City and County by payment of \$6,000. (City Attorney)

File 45-97-51, Ordinance No. 279-97

(Superior Court No. 975-472.)

Finally passed.

[Imelda Tanega v. CCSF, et al.]  
Ordinance authorizing settlement of litigation of Imelda Tanega against the City and County by payment of \$22,000. (City Attorney)

File 45-97-52, Ordinance No. 280-97

(Superior Court No. 971-856.)

Finally passed.

[Aaron Jones, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Aaron Jones against the City and County by payment of \$9,000. (City Attorney)

File 45-97-53, Ordinance No. 281-97

(Municipal Court No. 130-209.)

Finally passed.

[Margie Owen, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Margie Owen against the City and County by payment of \$25,000. (City Attorney)

File 45-97-54, Ordinance No. 282-97

(Superior Court No. 977-528.)

Finally passed.

[Maria Teresa Hernandez v. CCSF, et. al.]

Ordinance authorizing settlement of litigation of Maria Teresa Hernandez against the City and County by payment of \$11,250. (City Attorney)

File 45-97-55, Ordinance No. 283-97

(Municipal Court No. 130-826.)

Finally passed.

[Sheri Einhorn v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Sheri Einhorn against the City and County by payment of \$65,000. (City Attorney)

File 45-97-56, Ordinance No. 284-97

(Superior Court No. 954-281.)

Finally passed.

[Public Health Membership in Organizations]

Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health)

File 97-97-32, Ordinance No. 287-97

(Amends Section 16.6-10.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be adopted.)

(Supervisor Newsom is excused from voting. See supra.)  
(Supervisor Teng was absent from public hearing.)

Monday, July 7, 1997

Adopted as Amended

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14365, approving Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, and approving granting a conditional use permit subject to conditions imposed by Planning Commission and additional conditions and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 37-97-3.2, 37-97-3.3. (Clerk of the Board).

File 37-97-3.1

(Filed May 30, 1997.)

(June 30, 1997 - Consideration continued to July 7, 1997.)

Supervisor Yaki, seconded by Supervisor Teng, moved to amend by adding the following language: "Further Moved, That approval of the conditional use application is not effective until October 6, 1997. During the pendency of the approval date, Sprint has agreed to use good faith efforts to study the feasibility of using and, if feasible from an engineering standpoint, obtain the necessary permitting of the public garage at Chestnut/Pierce ("the alternate site") for location of their antennae. If the alternate site receives final approval, including resolution of all appeals, within the pendency period, Sprint agrees to use the alternate site for their antennae and forego the 2055 Lombard Site."

New title: "Motion disapproving decision of the Planning Commission by its Motion No. 14365, approving Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, and approving granting a conditional use permit subject to conditions imposed by Planning Commission and additional conditions and adopting findings pursuant to Planning Code Section 101.1."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Tabled

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14365, approving Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 37-97-3.1, 37-97-3.3. (Clerk of the Board)

File 37-97-3.2

(June 30, 1997 - Consideration continued to July 7, 1997.)

Supervisor Yaki, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 96.774CR, on property located at 2055 Lombard Street, south side between Fillmore and Webster Streets, for action by the Board at its next meeting; companion measure to Files 37-97-3.1, 37-97-3.2. (Clerk of the Board)

File 37-97-3.3

(June 30, 1997 - Consideration continued to July 7, 1997.)



Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Recommendation of Health, Family & Environment Committee

Passed for Second Reading as Amended

[Nondiscrimination, Contract, Property Contract]

Ordinance amending Administrative Code Sections 12B.1, 12B.2, 12B.4, 12B.5-1, 12C.5-1, 12B.6, 12C.1, 12C.3, 12C.5-1 and 12C.6 to amend the definition of "contract" under Chapter 12B to exclude from the scope of Chapter 12B those contracts entered into after June 1, 1997 pursuant to settlement of legal proceedings; and contracts for urgent litigation expenses; to include "property contracts" in subsections (A)(2) and (D) of Sections 12B.5-1 and 12C.5-1; to provide for waiver of Chapter 12B and 12C by the Director of Human Rights Commission for specialized litigation requirements; to clarify the geographic application of Chapters 12B and 12C; and to amend Sections 12B.6 and 12C.6 to clarify the proper construction of Chapter 12B in relation to Federal or State laws. (Supervisors Katz, Ammiano, Leal, Bierman)

File 97-97-21.1, Ordinance No.

Supervisor Katz, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor on the following item.

From Rules Committee with Recommendation "Do Submit"

Ordered Submitted

[Charter Amendment, Contract/Lease Limitations]

Charter Amendment (First Draft) repealing Section 2.110, governing Board of Supervisors' approval of the sale or lease of real property, and amending Section 9.118, governing the Board of Supervisors' approval of contracts, to incorporate the provisions of former Section 2.110 and add further provisions governing the Board of Supervisors' approval of the sale or lease of real property. (Supervisors Kaufman, Teng)

File 256-97-1

(June 30, 1997 - Consideration continued to July 7, 1997.)

Ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Charter Amendment, Safety Employees Retirement]

Charter amendment (First Draft) amending Appendix AB.559-14 and 8.585-14, relating to retirement benefits for safety employees who transferred membership under the retirement system to Sections 8.586 or 8.588 effective July 1, 1980. (Supervisors Katz, Ammiano, Leal, Bierman, Teng, Medina)

File 257-97-1

(June 30, 1997 - Consideration continued to July 7, 1997.)

Ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

In connection with the above item, Supervisors Leal, Bierman, Teng, Medina requested to be added as co-sponsors.

From Committee of the Whole Without Recommendation

Finally Passed

(Supervisors Kaufman and Newsom are excused from voting.)  
See Journal of Proceedings of June 30, 1997.

[Ballpark, General Plan Amendments]

Ordinance approving amendments to the urban design and recreation and open space elements and the Northeastern Waterfront Plan of the San Francisco General Plan; companion measure to File 151-97-3. (Supervisor Yaki)

File 271-97-5, Ordinance No. 277-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Teng, Yaki, Yee - 8.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Brown, Newsom - 2.

(Supervisors Kaufman and Newsom are excused from voting.)  
See Journal of Proceedings of June 30, 1997.

[Ballpark, Rincon Point-South Beach]

Ordinance amending Ordinance No. 14-81, amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92, 430-94 and 119-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically including Lots 38 and 27 on Assessor's Block 3794 and Piers 468 and 46C, seawall lot 336 and portion of seawall lot 335, including streets on Assessor Block 9900; companion measure to File 271-97-5. (Supervisor Yaki)

File 151-97-3, Ordinance No. 276-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Leal, Medina, Teng, Yaki, Yee - 8.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Brown, Newsom - 2.

The President resumed the Chair.

NEW BUSINESS

Recommendations of  
Economic Development, Transportation and Technology Committee

Adopted

[MUNI Key Stop Green Committee]

Resolution declaring support for the April 22, 1997 recommendations of The Keep the Key Stop Green Committee regarding the N-Lines rail replacement and Key Stop Project, and further, urging MUNI to modify their design of the Irving Street Key Stop to incorporate these concerns and proposal of The Keep the Key Stop Green Committee. (Supervisors Ammiano, Yaki, Katz, Medina)

File 7-97-9, Resolution No. 652-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

[Contract Award Extension, MUNI]

Resolution approving extension of time to award Municipal Railway Contract No. MR-1020-R2 Cable Car Barn - Furnish and Install Oil Separator System. (Public Transportation Commission)

File 61-97-3, Resolution No. 665-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Adopted as Amended

[Street Vacation, Treat Avenue]

Resolution declaring intention of the Board of Supervisors to vacate a portion of Treat Avenue west of Alabama Street and north of 15th Street and setting the hearing date of ((July 28)) August 11, 1997 for all persons interested in the proposed vacation. (Supervisor Yaki)

File 164-97-2, Resolution No. 669-97

Supervisor Yaki, seconded by Supervisor Leal, moved to amend page two, lines 11 and 12 by changing the date "July 28" to "August 11".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Recommendations of Health, Family and Environment Committee

Adopted

[Amend Pacificare Agreement]

Resolution authorizing the Director of Public Health to execute an amendment to the existing hospital Commercial Services Risk Agreement between Pacificare of California and the Department of Public Health for the provision of hospital services to Pacificare subscribers; contingent on Human Rights Commission's certification and compliance with the Domestic Partner Ordinance. (Department of Public Health)

File 172-96-1.1, Resolution No. 647-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

[State Mental Health Performance Contract]

Resolution approving retroactively, the San Francisco City and County Performance Contract for Mental Health Services in fiscal year 1996-97. (Department of Public Health)

File 172-97-42, Resolution No. 671-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: (1) Carpenter v. City and County of San Francisco, Case No. C-90-1836 MMC, (2) People v. Philip Morris, Case No. 980864, (3) City of San Francisco v. Philip Morris, Case No. C-96-2090 DLJ, and (4) People v. R.J.Reynolds, Case No. 939359, as permitted by Government Code Section 54956.9(a).

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

Recess

The Board recessed at the hour of 4:20 p.m. to convene in closed session.

Reconvening of the Board

The Board reconvened at 4:40 p.m.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Noted absent: Supervisors Brown, Newsom - 2.

Quorum present.

Supervisor Brown excused. See supra.

Supervisor Newsom excused. See supra.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors met in closed session with the City Attorney for the purpose of conferring and receiving advice from the City Attorney regarding pending litigation as follows: (1) Carpenter v. City and County of San Francisco, Case No. C-90-1836 MMC, (2) People v. Philip Morris, Case No. 980864, (3) City of San Francisco v. Philip Morris, Case No. C-96-2090 DLJ, and (4) People v. R.J.Reynolds, Case No. 939359, as permitted by Government Code Section 54956.9(a).

The session was informational only and the Board was not requested to take action.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

(A court reporter was present.)

[Public Hearing]

Hearing of persons interested in or objecting to approving and adopting the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area. (Supervisor Yaki)

File 71-97-1

The privilege of the floor was granted to the following persons:

Speaking in support: Leon Thibeaux, Jim Chappell, Al Williams, Scott Madison, Frank O'Neill, Marcia LeWinter, Wilma Sims, Ossie Rodgers, Willie B. Kennedy, female speaker.

Committee of the Whole Rise and Report Without Recommendation

Passed for Second Reading

[Hunters Point Shipyard Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area. (Supervisors Yaki, Teng, Bierman)

File 71-97-1, Ordinance No.

(May 27, 1997 - Redevelopment Agency Resolution 80-97 adopted indicating Environmental Impact Report be certified within eighteen months of the date of the approval of this ordinance.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

COMMITTEE REPORTS

Recommendations of Finance Committee

Consideration Continued

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Pacific Gas & Electric Company v. City and County and other putative claims of City and County and Pacific Gas and Electric Company, as more fully set forth in Master Settlement Agreement, for payment by Pacific Gas and Electric Company to City and County of the sum \$132,494 and other valuable consideration; companion measure to Files 259-97-1, 123-97-4. (Supervisor Leal)

File 45-97-50, Ordinance No.

Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

[Pacific Gas and Electric Company]

Resolution approving the use by the Pacific Gas and Electric Company for utility purposes those fiber optic facilities constructed, laid and used pursuant to the gas and electric franchises (Ordinance Nos. 413 and 414 (Series 1939), respectively); companion measure to Files 45-97-50, 123-97-4. (Supervisor Leal)

File 259-97-1, Resolution No.

Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Monday, July 7, 1997

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

[Assessments for Undergrounding]

Ordinance amending Public Works Code Section 929 to allow assessments for undergrounding to be paid in a single lump sum or ten installments during a five year period; companion measure to Files 45-97-50, 259-97-1. (Supervisors Leal, Teng)

File 123-97-4, Ordinance No.

Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Passed for Second Reading

[Appropriation, Asian Art Museum/DPW]

Ordinance appropriating \$32,499,633, Asian Art Museum and Department of Public Works, proceeds from the sale of Bonds (\$7,605,863 of 1989 Earthquake Safety Bonds and \$24,893,770 of Asian Art Relocation Project Bond) for the reconstruction of the former Public Library and relocation of the Asian Art Museum for fiscal year 1996-97; placing \$32,002,738 on reserve. (Supervisor Teng)

File 101-96-88, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

[Bulk Natural Gas Agreements]

Ordinance authorizing the General Manager of the Public Utilities Commission to execute the following agreements and annual renewals thereto: (1) an Energy Service Agreement with the State of California for purchase of bulk natural gas service, (2) a Natural Gas Service Agreement with PG&E for transportation of bulk natural gas purchased from the State of California, and (3) a Natural Gas Storage Services Agreement with PG&E for storage of bulk natural gas purchased from the State of California; waiving requirement of Section 12F.5 of the San Francisco Administrative Code that every contract shall contain a statement urging companies doing business in Northern Ireland to abide by the Macbride principles; waiving requirement of Section 12.1.5(b) of the San Francisco Administrative Code that every contract shall contain a statement urging companies not to use tropical hardwoods; waiving requirement of Section 12B.1(a) of the San Francisco Administrative Code that every contract shall contain a nondiscrimination provision; and waiving requirement of Section 12J.3(b) of the San Francisco Administrative Code that every contractor attest that it is not a prohibited person or entity with investments or employees in Burma. (Supervisor Teng)

File 172-97-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Teng, Yaki, Yee - 8.

Noes: Supervisor Medina - 1.

Absent: Supervisors Brown, Newsom - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Wayne Sherman, American with Disabilities Act lawsuit;  
Patricia Vaughney, telecommunication guidelines;  
Jane Kahan, ADA litigation;  
Sergio A. Lunan, ADA litigation;  
Leboriae P. Smoore, gay community;  
David Tomb, equal benefit ordinance, boycott United Airlines;  
Michael Kwok, ADA compliance;  
Paul, ADA transition plan;

Walter Park, lawsuit;  
Worldwind Dreamer, gay issues;  
Anthony Perry, jobs, people on general assistance;  
Marie J. Franklin, open space;  
Connie Arnold, ADA issue.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Proclamation]  
Resolution declaring July 13, 1997 as "Jose Angel Mora Castellon and Carmen Torres De Mora Day" in honor of their 60th wedding anniversary. (Supervisors Leal, Teng)

File 4-97-29, Resolution No. 648-97

(June 30, 1997 - Introduced in Board for consideration on July 7, 1997.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Commendation]  
Resolution recognizing the Alliance for Preserving the Truth of Sino-Japanese War. (Supervisors Yee, Bierman, Teng)

File 6-97-128, Resolution No. 649-97

(June 30, 1997 - Introduced in Board for consideration on July 7, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[Breast Cancer Study]  
Resolution urging the Centers for Disease Control to fund a study of the causes of high breast cancer rates in the San Francisco Bay Area. (Supervisors Bierman, Katz, Medina, Teng)

File 13-97-24, Resolution No. 653-97

(June 30, 1997 - Introduced in Board for consideration on July 7, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Teng requested to be added as co-sponsors.

[Youth Campus, Fort Baker]  
Resolution urging the President to utilize the National Parks Services properties at Fort Baker to develop a youth campus. (Supervisors Brown, Katz, Medina, Teng)

File 13-97-25, Resolution No. 654-97

(June 30, 1997 - Introduced in Board for consideration on July 7, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Teng requested to be added as co-sponsors.

[Needle Exchange Emergency]  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Amiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.12

(June 30, 1997 - Introduced in Board for consideration on July 7, 1997.)

Adopted.

[Final Map, 1850 Turk Street]

Motion approving final map of 1850 Turk Street, a Residential Condominium Project, being a subdivision of Lot 12 in Assessor's Block 1129, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-12

(June 25, 1997 - Referred to Board for consideration on July 7, 1997.)

Adopted.

[Final Map, 358 12th Street]

Motion approving final map of 358 12th Street, a Live/Work Condominium Project, being a subdivision of Lot 84 in Assessor's Block 3522, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-13

(July 1, 1997 - Referred to Board for consideration on July 7, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Newsom - 2.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Institutional Master Plan]

Ordinance amending Planning Code Section 304.5(c) to allow any existing institution presently occupying a site of less than one acre and not anticipating any future expansion to more than one acre to file an abbreviated institutional master plan. Supervisors Kaufman, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-009.

[Tree Removal Notice]

Ordinance amending Public Works Code Sections 806 and 808 to expand public notice and create an appeal to the Board of Supervisors from a decision of the Director of Public Works regarding street tree removal. Supervisors Katz, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 123-97-005.

Referred to Board

[Rincon Point-South Beach Redevelopment Plan]

Ordinance amending Ordinance 14-81, as amended by Ordinances 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically portions of Block 3766 (northwest corner of Beale and Bryant Streets immediately adjacent to the southern abutment of the Bay Bridge). Supervisor Yaki presented. Referred to Board Committee of the Whole August 11, 1997, 3:00 p.m.

File 151-97-004.



[Commend Jane Rubin]

Resolution recognizing Jane Rubin for her work as the Director of the San Francisco Ethics Commission and commending her for her service to the City and County of San Francisco. Supervisor Kaufman presented. Referred to Board For Adoption Without Committee Reference Calendar July 14, 1997.

File 006-97-129.

[Commendation]

Resolution commending the San Francisco Bay Area Committee to Celebrate the End of British Colonialism in Hong Kong. Supervisors Teng, Yee, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar July 14, 1997.

File 6-97-130.

Referred to Committee

[Bayview Hunters Point Shipyard]

Draft resolution calling for hearing regarding toxic cleanup before each record of decision is issued for each parcel located at Hunters Point Shipyard. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 71-97-2.

[Grant, Lead-based Paint Hazard Reduction]

Resolution authorizing the Mayor of the City and County to apply for a grant for lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$3,000,000 for a program authorized under the Department of Housing and Urban Development, and the Omnibus Consolidated Rescissions and Appropriation Act of 1996, Public Law Number 104-134; and including \$30,000 of indirect costs associated with the acceptance of these grant funds. Supervisors Bierman, Brown presented. Referred to Housing and Neighborhood Services Committee with request it be considered at the July 17, 1997 meeting.

File 068-97-006.

[Contracting with Board of Controls]

Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of \$498,251 which include indirect costs of \$28,526 which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for project entitled, "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1997 through June 30, 1998. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the July 16, 1997 meeting.

File 172-97-048.

[Public Entities v. Bank of America]

Resolution authorizing City Attorney to undertake, at no cost to the City, representation of California cities, counties and other local public entities in State of California and all political subdivisions thereof, ex rel. Patrick Stull vs. Bank of America. Supervisor Yaki presented. Referred to Rules Committee.

File 194-97-006.

[Treasure Island Cooperative Agreement]

Resolution approving and authorizing the City to enter into a cooperative agreement with the Navy whereby the City will assume certain responsibilities regarding the operation and maintenance of Treasure Island and the Navy will reimburse the City for the costs thereof. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 244-97-004.

Requests for Hearings:

[Community Development]

Hearing to consider gay and lesbian, bisexual, transgendered community outreach from the Mayor's Office of Community Development. Supervisor Amiano presented. Referred to Health, Family and Environment Committee.

File 079-97-001.

[Garment Industry]

Hearing to consider the impact of the PacBell Park and the multi-media industry on the sewing factories in the South of Market district. Supervisor Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 176-97-002.

[United Parcel Service, Inc.]

Hearing to consider allegations of racial discrimination by management of the United Parcel Service, Inc. (UPS). Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 176-97-003.

[Youth Guidance Center]

Hearing on gay and lesbian, bisexual and transgendered youth intake at the Youth Guidance Center. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 214-97-002.01.

[Halloween 1997]

Hearing to consider the planning and activities for Halloween 1997. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 264-97-001.

Motions:

Referred to Committee

[Constituent Liaisons, Board of Supervisors]

Motion directing the Clerk of the Board to initiate the creation of the position of constituent liaison for each member of the Board of Supervisors and directing the Clerk to provide a copy of this motion to the Mayor with a request that he approve a supplemental appropriation to fund the positions and any other necessary legislation. Supervisors Katz, Ammiano, Teng, Yee presented. Referred to Finance Committee.

File 069-97-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 127-97-007. [Business Tax Registration Regulations] Ordinance amending Part III of the San Francisco Municipal Code by amending Section 1007.3, to provide that no person shall file a fictitious business name with the County Clerk without having first presented a tax registration certificate. (County Clerk) Referred to Finance Committee.

Resolutions Referred to Committee

File 096-97-004. [Sale of Portion of Mt. Davidson Park] Resolution confirming sale of approximately .38 acres at the top of Mt. Davidson Park. (Also see File 60-97-6). (City Attorney) Referred to Rules Committee.

File 148-97-004. [State Funds, Civic Center Plaza Playground Project] Resolution authorizing the Director of Public Works to accept and expend a mitigation settlement in the amount of \$250,000 to construct the Civic Center Plaza Playground. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 172-97-046. [Paratransit Broker Contract Amendment] Resolution approving amendment No. 5 to Paratransit Broker Agreement, to expand the ramped taxi program by leasing 30 ramped minivans to the paratransit broker to be subleased to taxicab companies participating in the Paratransit Program, with guaranteed lease payments in the form of paratransit trips provided at no cost to the City; to provide broker with a fee to administer the subleases; and to make other amendments updating the agreement. (Also see File 172-96-4). (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to the San Francisco Unified School District urging research and consideration of creating a program which would donate unused food from school lunch programs to a program which feeds the homeless.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Alcus Jefferson (By the entire Board)  
William Turnbull, Jr. (Supervisor Bierman)  
Lester Bush, Sr. (Supervisor Ammiano)  
Wade Littlejohn, Jr. (Supervisor Brown)  
Lulu Mae Robinson (Supervisor Brown)  
Kevin Timothy O'Hara (Supervisor Medina)

File 2-97-27

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:42 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 22, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



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Monday, July 14, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 14, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Ammiano, Leal, Medina - 3.

Quorum present.

Supervisor Ammiano excused. (See infra.)

Supervisor Leal was noted present at 2:05 p.m.

Supervisor Medina excused. (See infra.)

Supervisors Ammiano, Medina Excused

The Clerk stated Supervisors Ammiano and Medina requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Leal, moved to excuse Supervisors Ammiano and Medina from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

CONSENT CALENDAR

Recommendations of Rules Committee

Passed for Second Reading

[Guy Rice v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Guy Rice against the City and County by payment of \$65,000. (City Attorney)

File 45-97-57, Ordinance No.

(United States District Court No. C96-1396.)

Passed for second reading.

[Rudi Acosta v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rudi Acosta against the City and County by payment of \$378,000. (City Attorney)

File 45-97-58, Ordinance No.

(United States District Court No. C92-4321.)

Passed for second reading.

[Settlement of Union Grievance]

Ordinance authorizing settlement of the grievance filed by International Federation of Professional and Technical Engineers, Local 21, AFL-CIO on behalf of Ray Rivera regarding his termination from the Department of Public Health in the amount of Thirty Four Thousand, One Hundred Sixty One Dollars and Twenty Cents (\$34,161.20). (City Attorney)

File 45-97-59, Ordinance No.

Passed for second reading.

[Weiju Cui v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Weiji Cui against the City and County by payment of \$15,000. (City Attorney)

File 45-97-60, Ordinance No.

(Municipal Court No. 138-465.)

Passed for second reading.

[Shek Yiu Chan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Shek Yiu Chan against the City and County by payment of \$100,000, plus a waiver of a medical reimbursement lien of \$10,500. (City Attorney)

File 45-97-61, Ordinance No.

(Superior Court No. 974-914.)

Passed for second reading.

[Estate of David J. Arnold, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of estate of David J. Arnold, et al. against the City and County, et al. by payment of \$1,500,000. (City Attorney)

File 45-97-62, Ordinance No.

(Consolidated Actions: United States District Court No. C96-3754 MMC, United States District Court No. C97-0587 MMC.)

Passed for second reading.

[Gradon Knotts, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Gradon Knotts against the City and County by payment of \$8,750. (City Attorney)

File 45-97-64, Ordinance No.

(Superior Court No. 979-307.)

Passed for second reading.

[CCSF v. Burns International Security Services]

Ordinance authorizing settlement of litigation of City and County v. Burns International Security Services; Borg-Warner Protective Services Corporation, dba Burns International Security Services, by payment of \$25,000 by Burns to the City. (City Attorney)

File 46-97-8, Ordinance No.

(Superior Court No. 976-811.)

Passed for second reading.

Adopted

[Settlement of Claim, Faye Bernstein]

Resolution approving the settlement of the unlitigated claim of Faye Bernstein by payment of \$90,000. (City Attorney)

File 48-97-42, Resolution No. 659-97

Adopted.



[Settlement of Claim, Cheryl Trimm]

Resolution approving the settlement of the unlitigated claim of Cheryl Trimm by payment of \$12,000.  
(City Attorney)

File 48-97-43, Resolution No. 660-97

Adopted.

[Settlement of Claim, Joseph Suk Yoon]

Resolution approving the settlement of the unlitigated claim of Joseph Suk Yoon by payment of \$9,000.  
(City Attorney)

File 48-97-44, Resolution No. 661-97

Adopted.

[Settlement of Claim, Charles and Megan Ackerley]

Resolution approving the settlement of the unlitigated claim of Charles and Megan Ackerley by payment of \$14,852.79. (City Attorney)

File 48-97-45, Resolution No. 662-97

Adopted.

[Settlement of Claim, State Farm Insurance Company]

Resolution approving the settlement of the unlitigated claim of State Farm Insurance Company by payment of \$9,536.36. (City Attorney)

File 48-97-46, Resolution No. 663-97

Adopted.

[Settlement of Claim, ITT Hartford Insurance]

Resolution approving the settlement of the unlitigated claim of ITT Hartford Insurance by payment of \$15,396.71. (City Attorney)

File 48-97-47, Resolution No. 664-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Consideration of Mayor's Veto

Consideration Continued

(Supervisors Kaufman and Newsom were excused from voting.)  
See Journal of Proceedings of June 30, 1997.

[Supporting Completion of the Caltrain FEIS/EIR]

Resolution requesting that the work being done on the Downtown extension project reports and studies be completed and presented to the Board with conclusions; and instructing San Francisco representatives on the Joint Powers Board to communicate this resolution and the resolution adopted by the San Francisco Board of Supervisors on May 12 endorsing the Main/Beale South Design concept and program for a replacement facility for the Transbay Transit Terminal. (Supervisors Bierman, Katz)

File 85-97-3, Resolution No.

(June 30, 1997 - Adopted.

July 9, 1997 - Returned to Board by Mayor, disapproved.)

(Pursuant to Board of Supervisors Rule 4.15, the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board.)

Pursuant to above rule, the Clerk stated this item will be placed on the July 21, 1997 agenda.

No objection and Clerk directed to comply.

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 96.774CR, for the replacement of two existing light poles and the installation of a total of six antennas on the new poles, and the installation of a base transceiver station on the upper deck of the Lombard Garage in a P (Public) District and a 40-X Height and Bulk District pursuant to Section 234.2 of the Planning Code, at a building located at 2055 Lombard Street, south side, between Fillmore and Webster Streets, Lot 9 in Assessor's Block 509, and approving the granting of the conditional use application with an additional condition. (Clerk of the Board)

File 37-97-3.4

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki, Yee - 8.

Excused: Supervisor Newsom - 1.

Absent: Supervisors Ammiano, Medina - 2.

Recommendations of Finance Committee

Finally Passed

[Appropriation, Asian Art Museum/DPW]

Ordinance appropriating \$32,499,633, Asian Art Museum and Department of Public Works, proceeds from the sale of Bonds (\$7,605,863 of 1989 Earthquake Safety Bonds and \$24,893,770 of Asian Art Relocation Project Bond) for the reconstruction of the former Public Library and relocation of the Asian Art Museum for fiscal year 1996-97; placing \$32,002,738 on reserve. (Supervisor Teng)

File 101-96-88, Ordinance No. 278-97

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Bulk Natural Gas Agreements]

Ordinance authorizing the General Manager of the Public Utilities Commission to execute the following agreements and annual renewals thereto: (1) an Energy Service Agreement with the State of California for purchase of bulk natural gas service, (2) a Natural Gas Service Agreement with PG&E for transportation of bulk natural gas purchased from the State of California, and (3) a Natural Gas Storage Services Agreement with PG&E for storage of bulk natural gas purchased from the State of California; waiving requirement of Section 12F.5 of the San Francisco Administrative Code that every contract shall contain a statement urging companies doing business in Northern Ireland to abide by the Macbride principles; waiving requirement of Section 12.1.5(b) of the San Francisco Administrative Code that every contract shall contain a statement urging companies not to use tropical hardwoods; waiving requirement of Section 12B.1.(a) of the San Francisco Administrative Code that every contract shall contain a nondiscrimination provision; and waiving requirement of Section 12J.3(b) of the San Francisco Administrative Code that every contractor attest that it is not a prohibited person or entity with investments or employees in Burma. (Supervisor Teng)

File 172-97-28, Ordinance No. 288-97

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

From Rules Committee with Recommendation "Do Submit"

Consideration Continued

[Charter Amendment, Youth Commission]

Charter amendment (Second Draft) amending Sections 4.122 through 4.124 to create staggered terms for members, certify removal of members, allow for compensation, amend quorum and voting requirements, give non-exclusive authority to conduct programs related to children and youth, to authorize Commission recommendation of applicants and to delete obsolete material. (Supervisor Newsom)

File 255-97-1

(June 30, 1997 - Consideration continued to July 14, 1997.)

Supervisor Newsom, seconded by Supervisor Leal, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

Recommendation of Health, Family and Environment Committee

Finally Passed

[Nondiscrimination, Contract, Property Contract]

Ordinance amending Administrative Code Sections 12B.1, 12B.2, 12B.4, 12B.5-1, 12C.5-1, 12B.6, 12C.1, 12C.3, 12C.5-1 and 12C.6 to amend the definition of "contract" under Chapter 12B to exclude from the scope of Chapter 12B those contracts entered into after June 1, 1997 pursuant to settlement of legal proceedings; and contracts for urgent litigation expenses; to include "property contracts" in subsections (A)(2) and (D) of Sections 12B.5-1 and 12C.5-1; to provide for waiver of Chapter 12B and 12C by the Director of Human Rights Commission for specialized litigation requirements; to clarify the geographic application of Chapters 12B and 12C; and to amend Sections 12B.6 and 12C.6 to clarify the proper construction of Chapter 12B in relation to Federal or State laws. (Supervisors Katz, Ammiano, Leal, Bierman)

File 97-97-21.1, Ordinance No. 286-97

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

From Committee of the Whole

Finally Passed

[Hunters Point Shipyard Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area. (Supervisors Yaki, Teng, Bierman)

File 71-97-1, Ordinance No. 285-97

(May 27, 1997 - Redevelopment Agency Resolution 80-97 adopted indicating environmental impact report be certified within eighteen months of the date of the approval of this ordinance.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

NEW BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Annual Budget]

Annual Budget for the City and County of San Francisco for fiscal year 1997-98.

File 100-97-1

(Charter Section 9.100 provides the Board shall not adopt the Budget not earlier than July 15, 1997, nor later than August 1, 1997.)

BUDGET STATEMENT TO THE BOARD OF SUPERVISORS  
ON BEHALF OF THE FINANCE COMMITTEE

BY SUPERVISOR SUSAN LEAL  
CHAIR OF THE FINANCE COMMITTEE

July 14, 1997

On behalf of my colleagues on the Finance Committee, Vice-Chair Barbara Kaufman and Supervisor Amos Brown, I am pleased to transmit our recommended FY 1997-98 budget. Over the past month, we have worked closely with the Budget Analyst, the Controller, the Mayor and his budget staff in order to produce the best possible financial plan for the coming year. We have cut excess funding, identified sources of unexpended revenue, and recommended new appropriations for very important programs. The result is a budget which has the unanimous support of the Committee.

Our primary goal in assembling this budget was to make an investment in the people of San Francisco. The Committee reallocated over \$10 million in spending to address some of the most pressing needs faced by San Franciscans today, including the following:

Providing Adequate Care and Recreational Activities for Children - The Committee allocated \$2 million for new and expanded child care services, with a focus on expanding family home day care, the most cost-effective form of care available. The Committee members, as well as Supervisors Amiano, Bierman, Medina, and Yee all urged the Committee to find funding for such programs. The Committee also set aside roughly \$1.3 million to expand recreation and job opportunities for youth offered through the Recreation and Park Department. The Committee also recommended funding a variety of other services for San Francisco's children, from the Childhood Lead Prevention Program (as requested by Supervisor Bierman) to a new Beacon Center in the Richmond neighborhood (as requested by Supervisor Yaki).

Expanding the Availability of Drug Treatment - The Committee directed the Department of Public Health to reallocate \$400,000 that was to be spent on support services to the direct provision of substance abuse treatment. The Committee also approved a \$170,000 grant to Walden House to expand its treatment services for women and their children, bringing the total increased funding for substance abuse treatment services in this budget to nearly \$8 million. While the City cannot yet provide treatment on demand, we continue to move rapidly toward that goal. Providing Essential Services to San Francisco Seniors - The Committee has recommended spending \$323,000 to provide COLAs for agencies that contract with the Commission on the Aging, and \$1.1 million to give a wage increase to the In-Home Supportive Services (IHSS) workers who provide essential in-home care to over 8,000 seniors and people with disabilities. The Committee feels strongly that when the City is economically healthy enough to provide raises to its own employees, it should also be able to compensate the non-profit and other contractors who provide critical services to our seniors. At Supervisor Teng's request, the Committee also set aside \$300,000 to provide a reserve for elderly, disabled immigrants who may lose their benefits in the wake of Federal Welfare Reform. The Committee has also allocated funding for two new senior centers, one-stop neighborhood centers that provide vital information and services to San Francisco seniors. Maintaining Public Health and Safety - The Committee set aside funds for a variety of health- and safety-related services. Among a variety of other programs, we earmarked \$200,000 (in addition to the roughly \$18 million the City already spends) to provide housing subsidies for people living with AIDS or HIV. At Supervisor Katz's request, we also allocated \$120,000 to establish the "Resolve to Stop the Violence" (RSVP) program in the Sheriff's Department. The Committee also recommended funding to clean San Francisco neighborhoods, which will both improve public health and spur economic revitalization. Supervisor Brown urged us to provide \$695,000 in funding for a major clean-up of Third Street in the Bayview, and Supervisor Newsom asked that we set aside \$60,000 for intensive sidewalk cleaning in the Tenderloin. In addition to the programs mentioned here, the Committee recommended a variety of measures to enhance culture and the arts and to increase governmental efficiency and effectiveness. Assembling this package required a number of difficult decisions. My office alone received more than \$24 million in requests for financial support during the Committee's hearings. By working with the Budget Analyst, the Controller and the Mayor's budget staff, the Committee was able to identify \$10.5 million in excess funding and unexpended revenues that could be used to fund some of these programs. While we were unable to fund every request that the Committee received, we believe that our proposed reallocations will make San Francisco a stronger, healthier, more economically vibrant city. We hope that this budget will win your support. I would like to take this opportunity to express my appreciation to Vice-Chair and President of the Board of Supervisors Barbara Kaufman and Supervisor Amos Brown. Their thoughtful observations, their pertinent inquiries and their total commitment to our budget review process have all contributed to the success of our recommended budget for the City and County of San Francisco. The Committee would also like to thank Budget Analyst Harvey Rose and his Assistants, Bill Courtwright and Ken Bruce as well as the entire staff of the Budget Analyst's Office, Controller Ed Harrington, Chief Assistant Controller John Madden,

Matthew Hymel and their staff from the Controller's Office, the Mayor's Finance Director Steve Agostini, Mike Martin, Steve Kawa and their staff from the Mayor's Office, and our Clerk Rosemary Little-Horany for their outstanding work and dedication. The legislative assistants to the Committee members also deserve recognition for their hard work. We therefore wish to thank David Metz from my Office, Erin McGrath from President Kaufman's Office and Larry Saxxon from Supervisor Brown's Office. At the regular meeting of the Board of Supervisors on July 21, 1997, I will move that the budget, as amended in accordance with the recommendations of the Finance Committee, be adopted.

Supervisor Susan Leal, Chair, Finance Committee

Supervisor Leal, seconded by Supervisor Teng, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Annual Appropriation Ordinance, Fiscal Year 1997-98]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County, for fiscal year ending June 30, 1998; companion measure to File 100-97-1. (Mayor)

File 101-97-2, Ordinance No.

(Fiscal Impact.)

Supervisor Leal, seconded by Supervisor Teng, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Annual Salary Ordinance]

Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1998, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation or appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof; companion measure to Files 100-97-1 and 101-97-2. (Mayor)

File 102-97-2, Ordinance No.

(Fiscal Impact.)

Supervisor Leal, seconded by Supervisor Teng, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Redevelopment Agency Budget and Bonds]

Resolution approving the Budget of the Redevelopment Agency for fiscal year 1997-98; and approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed \$42,000,000 for the purpose of financing redevelopment activities in fiscal year 1997-98. (Redevelopment Agency)

File 161-97-7, Resolution No.

Supervisor Leal, seconded by Supervisor Teng, moved to continue consideration to July 21, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

Passed for Second Reading

[Bonding and Financial Assistance Program]

Ordinance amending Administrative Code, to expand the City's bonding assistance program, to authorize additional financial assistance to eligible contractors, and to extend the term of the program until June 30, 2000. (Supervisors Leal, Teng, Brown, Bierman)

File 97-97-25, Ordinance No.

(Amends Section 6.20-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

In connection with the above item, Supervisors Teng, Brown, Bierman requested to be added as co-sponsors.

[Departmental Revolving Funds]

Ordinance amending Administrative Code, relating to purposes and amounts authorized for departmental cash revolving fund for various departments. (Supervisor Leal)

File 97-97-27, Ordinance No.

(Amends various sections of Article XV, Chapter 10; Deletes Sections 10.141, 10.141a, 10.149, 10.167, 10.169-6, 10.169-9; Adds Sections 10.169-12 through 10.169-21; Repeals Section 13.23 and 13.24.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Hotel Tax Technical Amendments]

Ordinance amending Municipal Code, Part III, to make technical amendments to clarify the allocation of revenues derived from the tax imposed by Section 502. (Supervisor Bierman)

File 127-97-5, Ordinance No.

(Amends Section 515; Adds Section 515.01.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Hotel Tax Reallocation]

Ordinance amending Municipal Code, Part III, to allocate a portion of Hotel Tax Funds to the City-owned cultural centers. (Supervisor Bierman)

File 127-97-4, Ordinance No.

(Amends Section 515.01.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Hotel Tax Fund Allocation]

Ordinance amending Municipal Code, Part III, to allocate a portion of Hotel Tax Funds to the Mayor's Office of Protocol, for fiscal year 1997-98. (Mayor)

File 127-97-6, Ordinance No.

(Amends Section 515.01.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

Adopted

[Prop J Contract, Paratransit Services]

Resolution concurring with the Controller's certification that paratransit services for the Public Transportation Commission can be practically performed by a private contractor at a lower cost than by City and County employees. (Public Transportation Commission)

File 25-97-9, Resolution No. 655-97

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Prop J Contract, Convention Facilities Management]

Resolution concurring with Controller's certification that convention facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees. (San Francisco Convention Facilities)

File 25-97-10, Resolution No. 656-97

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Grant, Airport Demonstration Project]

Resolution authorizing the Airport Commission to retroactively apply for, accept and expend fund of up to \$147,000 for a Compressed Natural Gas (CNG) Van Demonstration Project from the Bay Area Air Quality Management District's Transportation Fund for Clean Air (TFA); waiving indirect costs. (Supervisors Teng, Brown)

File 27-97-7, Resolution No. 657-97

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Emergency Repairs, Harry Tracy Water Treatment]

Resolution providing retroactive approval for the declaration of emergency to provide emergency standby power capability at the Harry Tracy Water Treatment Plant - \$750,000. (Public Utilities Commission)

File 28-97-2, Resolution No. 658-97

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Multifamily Housing Revenue Refunding Bonds]

Resolution authorizing the issuance and delivery of multifamily housing revenue refunding bonds (The "Bonds") in an aggregate principal amount not to exceed \$20,800,000 for the purpose of refunding bonds previously issued to provide financing for City Heights (formerly Sutter/Post Apartments); authorizing sale of bonds; approving form of and authorizing execution of trust indenture, bond purchase contract, sale of bonds, financing agreement providing the terms and conditions for the above and the loan of bond proceeds to the borrower named therein; approving the form of and execution of an amended and restated regulatory agreement, the preparation and distribution of preliminary official statement and official statement relating to bonds, certificate of acceptance of multifamily deed of trust,



assignment of rents and security agreements, assignment of deed of trusts, an allonge to multifamily note and delivery of any document necessary to implement this resolution; ratifying and approving any action theretofore taken in connection with the bonds, the project and the refunding of the prior bonds; and related matters. (Mayor)

File 170-97-8, Resolution No. 670-97

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

Recommendations of Rules Committee

Passed for Second Reading

[Public Works Membership in Organizations]

Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Works and repealing Section 16.6-9.1. (Department of Public Works)

File 97-97-36, Resolution No.

(Amends Section 16.6-9;  
Repeals Section 16.6-9.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

Adopted

[Appointment]

Resolution appointing member to the Veterans Affairs Commission, for new term ending January 31, 1999; making findings waiving residency requirement. (Rules Committee)

File 92-97-23, Resolution No. 666-97

(Maceo May, vice Ingrid E. Sarembe, Seat No. 23808, at-large appointment, term expired.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Appointment]

Resolution appointing member to the Airport Noise Committee, for new term ending September 30, 1999. (Rules Committee)

File 92-96-45.3, Resolution No. 646-97

(Vivienne Antal, vice herself, Seat No. 20507, term expired.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Appointment]

Resolution appointing member to the Maternal, Child and Adolescent Health Board, for term ending August 31, 1998. (Rules Committee)

File 92-97-28.1, Resolution No. 667-97

(Citania Tam, vice Lynn Fang, Seat No. 22820, parent, term expired.)



Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for new four-year term ending June 30, 2001. (Rules Committee)

File 92-97-29, Resolution No. 668-97

(Tracy Brown, vice herself, Seat No. 21808, term expired.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to the proposed vacation of certain street areas within the site at China Basin for the San Francisco Giants Ballpark Project; adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying earlier acts.

File 164-97-3.1

(Pursuant to Board of Supervisors Resolution 598-97 approved June 26, 1997.)

The privilege of the floor was grant to the following persons:

Ernestine Weiss, support; Sue Hestor, parking concerns, funding, permits; Jeff Leibovitz, funding source, fire protection.

From Economic Development, Transportation  
and Technology Committee Without Recommendation

Passed for Second Reading as Amended

[Street Vacation]

Ordinance ordering the vacation of certain street areas within the site at China Basin for the San Francisco Giants Ballpark Project; adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying earlier acts. (Supervisor Yaki)

File 164-97-3.1, Ordinance No.

Supervisors Kaufman and Newsom Excused from Voting

The Clerk announced that Supervisors Kaufman and Newsom have requested to be excused from voting on advice of the City Attorney because of possible conflict of interests.

Supervisor Yaki, seconded by Supervisor Teng, moved to excuse Supervisors Kaufman and Newsom from voting.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Ammiano, Medina - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

Supervisor Yaki, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Teng, Yaki - 6.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisors Ammiano, Medina, Yee - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Teng, Yaki - 6.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisors Ammiano, Medina, Yee - 3.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, oppose Mt. Davidson cross;  
Leboriae P. Smoore, police brutality, elimination of constitution for poor people;  
Jay Odessky, domestic partner issue, support United Airline boycott;  
Jesus Gumban, employment issue.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

#### Adopted

[Commend Jane Rubin]

Resolution recognizing Jane Rubin for her work as the Director of the San Francisco Ethics Commission and commending her for her service to the City and County of San Francisco. (Supervisors Kaufman, Newsom)

File 6-97-129, Resolution No. 650-97

(July 7, 1997 - Introduced in Board for consideration on July 14, 1997.)

Adopted.

In connection with the above item, Supervisor Newsom requested to be added as co-sponsor.

[Commendation]

Resolution commending the San Francisco Bay Area Committee to Celebrate the End of British Colonialism in Hong Kong. (Supervisors Teng, Yee, Bierman, Katz, Newsom, Brown)

File 6-97-130, Resolution No. 651-97

(July 7, 1997 - Introduced in Board for consideration on July 14, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Newsom, Brown requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leal, Teng, Yaki, Yee - 7.

Absent: Supervisors Ammiano, Kaufman, Medina, Newsom - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Virgin Redwood Ban]

Ordinance amending Administrative Code Sections 12I.1 through 12I.6 and Section 12I.8 to expand the scope of the tropical hardwood ban to include virgin redwood. Supervisors Katz, Newsom, Bierman presented. Referred to Health, Family and Environment Committee.

File 097-97-038.

[Appropriation, Mayor, \$10,000]

Ordinance appropriating \$10,000, Mayor, from General Fund Reserve for current services (purchase of stock); companion measure to File 27-97-6. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the July 16, 1997 meeting.

File 101-97-003.

[Appropriation, Port; \$4,450,000]

Ordinance appropriating \$4,450,000, Port, from Harbor Operating Fund Loan Revenue to purchase property for the CalTrans site acquisition project at the Port to complete the land area for the new waterfront ballpark. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at its July 23, 1997 meeting.

File 101-97-004.

[Parking Restriction, Construction Activity]

Ordinance amending Traffic Code Section 33.1A extending the date that this section shall be in effect to June 30, 1998. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 124-97-004.

[Criminal Penalties, Housing Code Violations]

Draft ordinance amending Housing Code Section 204 to require that all housing code violations be chargeable as misdemeanors. Supervisors Newsom, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 125-97-001.

Referred to Board

[Grant, District Attorney, \$150,000]

Resolution amending Resolution No. 1120-96 which authorized the District Attorney to apply for, accept and expend grant funds in the amount of \$150,000 made available through the California Office of Criminal Justice Planning (OCJP) for the continued operation of the "Statutory Rape Vertical Prosecution Program" for the ten month period September 1, 1996 through June 30, 1997 by extending the grant period from June 30 to August 30, 1997. Supervisor Kaufman presented. Referred to Board For Adoption Without Committee Reference Calendar July 21, 1997.

File 138-96-013.01.

[Commend Deputy Sheriffs' Association]

Resolution commending the Deputy Sheriffs' Association for their dedication to quality education by providing financial assistance to students. Supervisors Teng, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar July 21, 1997.

File 006-97-131.

[Commend China Press]

Resolution commending the China Press for its outstanding service and commitment in bridging the economic and cultural distance between the U.S. and China and declaring July 11, 1997 as "The China Press Day" in San Francisco. Supervisors Teng, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar July 21, 1997.

File 006-97-132.

[Commend "The Songs We Remember" Concert]

Resolution commending "The Songs We Remember" concert to promote the cultural and social exchange between the U.S. and China. Supervisor Teng presented. Referred to Board For Adoption Without Committee Reference Calendar July 21, 1997.

File 006-97-133.

[Tuesday Board Meeting]

Resolution urging the Board of Supervisors to hold its regularly scheduled full Board meetings on Tuesdays at 2:00 p.m. and to discontinue current practice of meeting on Mondays at 2:00 p.m. Supervisor Newsom presented. Referred to Rules Committee.

File 054-97-008.

[All Direction Red Light Intersection]

Resolution requesting the Department of Parking and Traffic to consider adding one hundred all direction red light intersections to existing signal light controlled intersections over the course of eight months to one year. Supervisors Leal, Newsom presented. Referred to Board For Adoption Without Committee Reference Calendar July 21, 1997.

File 190-97-009.01.

Referred to Committee

[De Young Museum Relocation]

Resolution urging the relocation of the De Young Museum from Golden Gate Park to a downtown location. Supervisors Yaki, Kaufman, Katz, Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 193-97-007.01.

[Penalties in Abatement Actions]

Resolution urging the Superior and Municipal Courts of the City and County of San Francisco to impose the maximum penalties available in public nuisance abatement actions. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 198-97-002.

[Mission Bay South Survey Area]

Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law referred to as the Mission Bay South Survey Area. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 265-97-001.

Requests for Hearings:

[Giants Stadium, China Basin]

Hearing to consider the storm water controls and sewer overflow reduction at the Giants Stadium, China Basin. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee with request it be considered at its August 14, 1997 meeting.

File 161-97-002.02.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board For Adoption Without Committee Reference Calendar July 21, 1997.

File 030-97-001.13.

[Constituent Liaisons, Board of Supervisors]

Substitute motion directing the Clerk of the Board to initiate the process for creating the position of constituent liaison for each member of the Board of Supervisors and directing the Clerk to prepare a supplemental appropriation to fund the position. Supervisors Katz, Ammiano, Teng, Yee, Bierman presented. Referred to Finance Committee.

File 069-97-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-065. [Corrine and Clint Moore v. CCSF, et al.] Ordinance authorizing settlement of litigation of Corrine Johnson-Moore and Clint Moore against the City and County of San Francisco by payment of \$5,500. (Municipal Court No. 129-660). (City Attorney) Referred to Rules Committee.

File 045-97-066. [Devera Petak v. CCSF, et al.] Ordinance authorizing settlement of litigation of Devera Petak against the City and County of San Francisco by payment of \$82,500. (Superior Court No. 968-045). (City Attorney) Referred to Rules Committee.

File 045-97-067. [Abraham Ramos v. CCSF, et al.] Ordinance authorizing settlement of litigation of Abraham Ramos against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 974-763). (City Attorney) Referred to Rules Committee.

File 045-97-068. [Evelyn Sell v. CCSF, et al.] Ordinance authorizing settlement of litigation of Evelyn Sell against the City and County of San Francisco by payment of \$33,000. (Superior Court No. 970-988). (City Attorney) Referred to Rules Committee.

File 045-97-069. [Candida Roiz, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Candida Roiz against the City and County of San Francisco by payment of \$145,000. (Superior Court No. 973-830). (City Attorney) Referred to Rules Committee.

File 045-97-070. [John M. Montin v. CCSF, et al.] Ordinance authorizing settlement of litigation of John M. Montin against the City and County of San Francisco by payment of \$21,250. (Superior Court No. 978-203). (City Attorney) Referred to Rules Committee.

File 045-97-071. [Matthew F. Burke v. CCSF, et al.] Ordinance authorizing settlement of litigation of Matthew F. Burke against the City and County of San Francisco by payment of \$30,000. (Superior Court No. 979-618). (City Attorney) Referred to Rules Committee.

File 045-97-072. [Juanita Sandoval v. CCSF, et al.] Ordinance authorizing settlement of litigation of Juanita Sandoval against the City and County of San Francisco by payment of \$11,500. (Superior Court No. 979-924). (City Attorney) Referred to Rules Committee.

File 045-97-073. [Jeane F. Ashton v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jean Ashton against the City and County of San Francisco by payment of \$15,000. (Superior Court No. 965-143). (City Attorney) Referred to Rules Committee.

File 045-97-074. [Norman Doolittle v. CCSF, et al.] Ordinance authorizing partial settlement of litigation of Norman Patrick Doolittle against the City and County of San Francisco by payment of \$11,000, for the property damage claim and not the personal injury claims which are still pending. (Superior Court No. 978-634). (City Attorney) Referred to Rules Committee.

File 045-97-075. [Stacy Hill v. CCSF, et al.] Ordinance authorizing settlement of litigation of Stacy Hill against the City and County of San Francisco by payment of \$55,000. (Superior Court No. 974-401). (City Attorney) Referred to Rules Committee.

File 045-97-076. [Joy Taylor v. CCSF, et al.] Ordinance authorizing settlement of litigation of Joy C. Taylor against the City and County of San Francisco by payment of \$35,000. (Superior Court No. 960-156). (City Attorney) Referred to Rules Committee.

File 045-97-077. [Leo Graf, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Leo F. Graf against the City and County of San Francisco by payment of \$195,000.00 to Leo F. Graf, and \$55,000.00 to the San Francisco Newspaper Agency. (Superior Court No. 972-731). (City Attorney) Referred to Rules Committee.

File 045-97-078. [Lombardo v. Weatherman and CCSF] Ordinance authorizing settlement of the litigation entitled Lorraine Lombardo v. Joseph Weatherman and the City and County of San Francisco by payment of \$35,000 to Lorraine Lombardo and \$35,000 to Lorraine Lombardo's attorney as attorney's fees and costs. (United States District Court No. C95-2965 MHP) (United States Court of Appeals No. 97-15049). (City Attorney) Referred to Rules Committee.

File 106-97-002. [Court Compensation, FY 1997-98] Ordinance setting schedules of compensation and other economic benefits for fiscal year 1997-1998 for certain classifications of persons employed by the Municipal and Superior Court for the City and County of San Francisco. (Municipal Court) Referred to Finance Committee.

Resolutions Referred to Committee

File 025-97-012. [Prop J Contract, Parking Management Services] Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997 than if work were performed by city employees at budgeted levels. (Airport) Referred to Finance Committee.

File 038-97-007. [Gift Acceptance] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of one (1) TRAK Computer System valued at approximately \$8,500.00 from Social Tech, Inc. (Police Commission) Referred to Rules Committee.

File 048-97-048. [Settlement of Claim, Viulen Kotovskiy] Resolution approving the settlement of the unlitigated claim of Viulen Kotovskiy by payment of \$6,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-049. [Settlement of Claim, John S. Batanides] Resolution approving the settlement of the unlitigated claim of John S. Batanides by payment of \$7,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-050. [Settlement of Claim, Thomas R. McAfee] Resolution approving the settlement of the unlitigated claim of Thomas R. McAfee by payment of \$10,000.00 (City Attorney) Referred to Rules Committee.

File 146-97-006.01. [State Grant, Single System of Care] Resolution authorizing the Department of Public Health, Division of Mental Health to accept and expend a grant of \$334,592, from the California State Department of Mental Health to develop a single system of care that is understandable to parents and appropriate to meet the individual needs of children. (Department of Public Health). Referred Health, Family and Environment Committee.

File 150-97-002. [State Grant, Pumpout Facilities for Marina] Resolution authorizing the Recreation and Park Department to apply for, accept and expend grant funds of \$22,300 from California Department of Boating and Waterways for installation of sanitation equipment at San Francisco Small Craft Harbor. (Recreation and Park Department) Referred to Housing and Neighborhood Services Committee.

File 172-97-049. [Dept. of Public Health CCS Program] Resolution authorizing the Director of Public Health to enter into a Contract/Memorandum of Understanding with the University of California (UCSF), in the amount of \$44,349 for the provision of staff of California Children Services (CCS) to be stationed on site at the UCSF Medical Center to evaluate patients and provide consultation regarding CCS program eligibility and services; retroactive to July 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-050. [Contract, DPH - University of California] Resolution authorizing the Director of Public Health to enter into a subcontract in the amount of \$5,811 with the Regents of the University of California (Berkeley), the primary contractor, to provide data and information for a study of temporal variation in psychiatric utilization to the University of California (Berkeley); retroactive to January 1, 1997. (Department of Public Health) Referred to Housing and Neighborhood Services Committee.

File 270-97-003. [Disaster Relief Funds] Resolution authorizing the Director of the Mayor's Office of Emergency Services or his designee, the Controller and the Chief Assistant Controller to execute and file, on behalf of the City and County of San Francisco, certain documents relating to federal and state financial assistance under the Federal Disaster Relief Act, or federal assistance otherwise available from the President's Disaster Relief Fund and the State of California Natural Disaster Assistance Act program pertaining to the October 17, 1989 Loma Prieta Earthquake, and rescinding Resolutions 842-90 and 311-92. (Mayor's Office of Emergency Services) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that City Attorney prepare ordinance amending the zoning map to change the height district of Lot 028 of Assessor's Block 3531, located in a commercial use district, from 40-X to a 65-B Height District.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Virginia George Blight (Supervisor Leal)  
Larry Nelson (Supervisor Brown)  
William Berelson (Supervisor Newsom)

File 2-97-28

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:18 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 29, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors





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Monday, July 21, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 21, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz was noted present at 2:10 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, April 28, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Bonding and Financial Assistance Program]

Ordinance amending Administrative Code, to expand the City's bonding assistance program, to authorize additional financial assistance to eligible contractors, and to extend the term of the program until June 30, 2000. (Supervisors Leal, Teng, Brown, Bierman, Katz)

File 97-97-25, Ordinance No. 297-97

(Amends Section 6.20-2.)

Finally passed.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Departmental Revolving Funds]

Ordinance amending Administrative Code, relating to purposes and amounts authorized for departmental cash revolving fund for various departments. (Supervisor Leal)

File 97-97-27, Ordinance No. 298-97

(Amends various sections of Article XV, Chapter 10; Deletes Sections 10.141, 10.141a, 10.149, 10.167, 10.169-6, 10.169-9; Adds Sections 10.169-12 through 10.169-21; Repeals Section 13.23 and 13.24.)

Finally passed.

[Hotel Tax Technical Amendments]

Ordinance amending Municipal Code, Part III, to make technical amendments to clarify the allocation of revenues derived from the tax imposed by Section 502. (Supervisor Bierman)

File 127-97-5, Ordinance No. 300-97

(Amends Section 515; Adds Section 515.01.)

Finally passed.

[Hotel Tax Reallocation]

Ordinance amending Municipal Code, Part III, to allocate a portion of Hotel Tax Funds to the City-owned cultural centers. (Supervisor Bierman)

File 127-97-4, Ordinance No. 301-97

(Amends Section 515.01.)

Finally passed.

[Hotel Tax Fund Allocation]

Ordinance amending Municipal Code, Part III, to allocate a portion of Hotel Tax Funds to the Mayor's Office of Protocol, for fiscal year 1997-98. (Mayor)

File 127-97-6, Ordinance No. 302-97

(Amends Section 515.01.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Guy Rice v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Guy Rice against the City and County by payment of \$65,000. (City Attorney)

File 45-97-57, Ordinance No. 289-97

(United States District Court No. C96-1396.)

Finally passed.

[Rudi Acosta v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rudi Acosta against the City and County by payment of \$378,000. (City Attorney)

File 45-97-58, Ordinance No. 290-97

(United States District Court No. C92-4321.)

Finally passed.

[Settlement of Union Grievance]

Ordinance authorizing settlement of the grievance filed by International Federation of Professional and Technical Engineers, Local 21, AFL-CIO on behalf of Ray Rivera regarding his termination from the Department of Public Health in the amount of Thirty Four Thousand, One Hundred Sixty One Dollars and Twenty Cents (\$34,161.20). (City Attorney)

File 45-97-59, Ordinance No. 291-97

Finally passed.

[Weiji Cui v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Weiji Cui against the City and County by payment of \$15,000. (City Attorney)

File 45-97-60, Ordinance No. 292-97

(Municipal Court No. 138-465.)

Finally passed.

[Shek Yiu Chan v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Shek Yiu Chan against the City and County by payment of \$100,000, plus a waiver of a medical reimbursement lien of \$10,500. (City Attorney)

File 45-97-61, Ordinance No. 293-97

(Superior Court No. 974-914.)

Finally passed.

[Estate of David J. Arnold, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of estate of David J. Arnold, et al. against the City and County, et al. by payment of \$1,500,000. (City Attorney)

File 45-97-62, Ordinance No. 294-97

(Consolidated Actions: United States District Court No. C96-3754 MMC, United States District Court No. C97-0587 MMC.)

Finally passed.

[Gradon Knotts, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Gradon Knotts against the City and County by payment of \$8,750. (City Attorney)

File 45-97-64, Ordinance No. 295-97

(Superior Court No. 979-307.)

Finally passed.

[CCSF v. Burns International Security Services]

Ordinance authorizing settlement of litigation of City and County v. Burns International Security Services; Borg-Warner Protective Services Corporation, dba Burns International Security Services, by payment of \$25,000 by Burns to the City. (City Attorney)

File 46-97-8, Ordinance No. 296-97

(Superior Court No. 976-811.)

Finally passed.

[Public Works Membership in Organizations]

Ordinance amending Administrative Code, adding certain organizations to the membership list of the Department of Public Works and repealing Section 16.6-9.1. (Department of Public Works)

File 97-97-36, Resolution No. 299-97

(Amends Section 16.6-9;  
Repeals Section 16.6-9.1.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Veto

Refused Adoption  
Mayor's Veto Sustained

(Supervisors Kaufman and Newsom excused from voting.)  
See Journal of Proceedings of June 30, 1997.

[Supporting Completion of the Caltrain FEIS/EIR]

Resolution requesting that the work being done on the Downtown extension project reports and studies be completed and presented to the Board with conclusions; and instructing San Francisco representatives on the Joint Powers Board to communicate this resolution and the resolution adopted by the San Francisco Board of Supervisors on May 12 endorsing the Main/Beale South Design concept and program for a replacement facility for the Transbay Transit Terminal. (Supervisors Bierman, Katz)

File 85-97-3, Resolution No.

(June 30, 1997 - Adopted.

July 9, 1997 - Returned to Board by Mayor, disapproved.

July 14, 1997 - Consideration continued to July 21, 1997.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

The clerk stated an "aye" vote would support passage of the resolution and a "no" vote does not.

The roll was then called on the question: Shall the resolution be adopted notwithstanding the Mayor's veto.

Refused adoption by the following vote:

Ayes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Noes: Supervisors Brown, Katz, Leal, Teng, Yaki - 5.

Excused: Supervisors Kaufman, Newsom - 2.

The President resumed the Chair.

Consideration of Mayor's Veto

Consideration Continued

[Park Patrol]

Resolution recognizing the contribution and work of the Park Patrol unit of the Recreation and Park Department and urging the department to fully fund, train and staff the Park Patrol. (Supervisors Medina, Katz)

File 100-97-2, Resolution No.

(June 23, 1997 - Adopted.

July 2, 1997 - Returned to Board by Mayor, disapproved.

July 7, 1997 - Consideration continued to July 21, 1997.)

Supervisor Medina, seconded by Supervisor Leal, moved to continue consideration to July 28, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Finance Committee

Adopted

[Annual Budget]

Annual Budget for the City and County of San Francisco for fiscal year 1997-98.

File 100-97-1

(Charter Section 9.100 provides the Board shall adopt the Budget not earlier than July 15, 1997, nor later than August 1, 1997.)

(July 14, 1997 - Consideration continued to July 21, 1997.)

Supervisor Ammiano, seconded by Supervisor Yee, moved to delete the budget item for the Board's Legislative Analyst positions, page 17, \$287,907.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Noes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki - 7.

The roll was called on the pending budget and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for Second Reading

[Annual Appropriation Ordinance, Fiscal Year 1997-98]  
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County, for fiscal year ending June 30, 1998; companion measure to File 100-97-1. (Mayor)

File 101-97-2, Ordinance No.

(Fiscal Impact.)

(July 14, 1997 - Consideration continued to July 21, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for Second Reading as Amended

[Annual Salary Ordinance]  
Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1998, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation or appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof; companion measure to Files 100-97-1 and 101-97-2. (Mayor)

File 102-97-2, Ordinance No.

(Fiscal Impact.)

(July 14, 1997 - Consideration continued to July 21, 1997.)

Supervisor Ammiano, seconded by Supervisor Bierman, moved to amend page A-5, paragraph three, line four, by deleting "President of the Board" and insert "Budget Analyst".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

The President resumed the Chair.

Adopted

[Redevelopment Agency Budget and Bonds]

Resolution approving the Budget of the Redevelopment Agency for fiscal year 1997-98; and approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed \$42,000,000 for the purpose of financing redevelopment activities in fiscal year 1997-98. (Redevelopment Agency)

File 161-97-7, Resolution No. 685-97

(July 14, 1997 - Consideration continued to July 21, 1997.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for Second Reading

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Pacific Gas and Electric Company v. City and County and other putative claims of City and County and Pacific Gas and Electric Company, as more fully set forth in Master Settlement Agreement, for payment by Pacific Gas and Electric Company to City and County of the sum \$132,494 and other valuable consideration; companion measure to Files 259-97-1, 123-97-4. (Supervisor Leal)

File 45-97-50, Ordinance No.

(July 7, 1997 - Consideration continued to July 21, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Adopted

[Pacific Gas and Electric Company]

Resolution approving the use by the Pacific Gas and Electric Company for utility purposes those fiber optic facilities constructed, laid and used pursuant to the gas and electric franchises (Ordinance Nos. 413 and 414 (Series 1939), respectively); companion measure to Files 45-97-50, 123-97-4. (Supervisor Leal)

File 259-97-1, Resolution No. 693-97

(July 7, 1997 - Consideration continued to July 21, 1997.)

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Passed for Second Reading

[Assessments for Undergrounding]

Ordinance amending Public Works Code Section 929 to allow assessments for undergrounding to be paid in a single lump sum or ten installments during a five year period; companion measure to Files 45-97-50, 259-97-1. (Supervisors Leal, Teng)

File 123-97-4, Ordinance No.

(July 7, 1997 - Consideration continued to July 21, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

From Rules Committee with Recommendation "Do Submit"



Ordered Submitted

[Charter Amendment, Youth Commission]

Charter amendment (Second Draft) amending Sections 4.122 through 4.124 to create staggered terms for members, certify removal of members, allow for compensation, amend quorum and voting requirements, give non-exclusive authority to conduct programs related to children and youth, to authorize Commission recommendation of applicants and to delete obsolete material. (Supervisors Newsom, Teng)

File 255-97-1

(July 14, 1997 - Consideration continued to July 21, 1997.)

Ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

From Rules Committee Without Recommendation

Rereferred to Committee

[Charter Amendment, Street Name Changes]

Charter amendment (Second Draft) amending the Charter by adding Section 2.118 to provide that no street name shall be changed without prior voter approval. (Supervisors Newsom, Kaufman)

File 239-97-1

(June 30, 1997 - Consideration continued to July 21, 1997.)

Supervisor Newsom, seconded by Supervisor Leal, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

From Economic Development, Transportation  
and Technology Committee Without Recommendation

Finally Passed

(Supervisors Kaufman and Newsom excused from voting.)

See Journal of Proceedings of July 14, 1997.

[Street Vacation]

Ordinance ordering the vacation of certain street areas within the site at China Basin for the San Francisco Giants Ballpark Project; adopting findings that the vacation is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying earlier acts. (Supervisors Yaki, Teng)

File 164-97-3.1, Ordinance No. 303-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisors Kaufman, Newsom - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Low-Value Tax Exemption]

Ordinance amending Administrative Code, to exempt from property taxation all personal property of a taxpayer on the unsecured property tax roll with a total full value of \$4,000 or less. (Supervisors Brown, Bierman, Teng)

File 97-97-26, Ordinance No.

(Adds Section 10.2-8.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[International Airport Management/Advisory Services]

Resolution approving the formation and operation of a private for-profit corporation as an international provider of airport management and advisory services designating the incorporators; requiring an annual financial accounting; requiring that dividends shall be deposited in the City's general fund; requiring the Mayor to submit to the Board of Supervisors for review the names of intended nominees to serve as corporate directors. (Supervisors Kaufman, Leal, Newsom, Teng)

File 27-97-6, Resolution No. 678-97

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisors Ammiano, Bierman - 2.

In connection with the above item, Supervisors Newsom, Teng requested to be added as co-sponsors.

Passed for Second Reading

[Appropriation, Airport]

Ordinance appropriating \$10,000, Mayor's Office, from General Fund Reserve, for other current expenses (purchase of stock), for fiscal year 1997-98; companion measure to File 27-97-6. (Supervisors Kaufman, Leal, Newsom, Teng)

File 101-97-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisors Ammiano, Bierman - 2.

In connection with the above item, Supervisors Newsom, Teng requested to be added as co-sponsors.

Adopted

[Prop J Contract, Budget Analyst]

Resolution concurring with the Controller's certification that services of the Budget Analyst can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Supervisor Teng)

File 25-97-11, Resolution No. 677-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Board Committee of the Whole]

Motion directing that the Board of Supervisors convene as a Committee of the Whole on July 21, 1997, to listen to testimony concerning two resolutions calling for a Special Election relative to two propositions on the issuance of water revenue bonds.

File 60-97-9

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

Hearing to consider resolutions calling and providing for a special election to be held in the City and County for the purpose of submitting to the qualified voters of said City and County on November 4, 1997, to consider two propositions for issuing revenue bonds by the Public Utilities Commission in the principal amount not to exceed (1) \$157,000,000 to finance the acquisition and construction of reliability and seismic safety improvements to the City's water system and (2) \$147,000,000 to finance the acquisition and construction of safe drinking water improvements to the City's water system.

The privilege of the floor was granted to the following persons:

Art Jensen, support;  
Emeric Kalman, oppose.

Committee Rise and Report Without Recommendation

Adopted

[Special Election, Water Revenue Bonds, \$157M]

Resolution calling and providing for a special election to be held in the City and County for the purpose of submitting to the qualified voters of said City and County on November 4, 1997, a proposition for issuing revenue bonds by the Public Utilities Commission in the principal amount not to exceed \$157,000,000 to finance the acquisition and construction of reliability and seismic safety improvements to the City's water system; and consolidating said special election with the general municipal election to be held on November 4, 1997; finding the proposed project is in conformity with the priority of Planning Code Section 101.1(b) and the City's General Plan. (Public Utilities Commission)

File 60-97-4, Resolution No. 680-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Special Election, Water Revenue Bonds, \$147M]

Resolution calling and providing for a special election to be held in the City and County for the purpose of submitting to the qualified voters of said City and County on November 4, 1997, a proposition for the issuance of revenue bonds by the Public Utilities Commission in the principal amount not to exceed \$147,000,000 to finance the acquisition and construction of safe drinking water improvements to the City's water system; and consolidating said special election with the general municipal election to be held on November 4, 1997; finding the proposed project is in conformity with the priority of Planning Code Section 101.1(b) and the City's General Plan. (Public Utilities Commission)

File 60-97-5, Resolution No. 681-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Lease of Property at 680 Eighth Street]

Resolution authorizing retroactively a lease of real property at 680 Eighth Street, San Francisco, for the Department of Public Health. (Real Estate Department)

File 64-97-7, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[Contracting with Board of Controls]

Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of \$498,251 which include indirect costs of \$3,593 which have been allocated from the State Board of Control Victims of Crime program, an agent of the State of California, for a project entitled, "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1997 through June 30, 1998. (Supervisor Kaufman)

File 172-97-48, Resolution No. 689-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Recommendation of Economic, Transportation  
and Technology Committee

Adopted

[Pacific Telesis Community Partnership]

Resolution authorizing the City and County to join with other public interest organizations in participating in the Pacific Telesis Community Partnership Commitment. (City Attorney)

File 172-97-45, Resolution No. 688-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Recommendations of Health, Family and Environment Committee

Adopted

[California Department of Conservation Receipt]

Resolution authorizing retroactively, the City Administrator to accept and expend \$95,000 from the California Department of Conservation for school waste prevention and recycling programs. (City Administrator)

File 133-97-6, Resolution No. 684-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[State Medi-Cal Hold Harmless Agreement, FY 1996-97]

Resolution authorizing the Department of Public Health Community Substance Abuse Services, to enter into a Combined Negotiated Net Amount and Drug Medi-Cal Hold Harmless Agreement retroactive to July 1, 1996 for the term July 1, 1996 through June 30, 1997 with the State of California, Department of Alcohol and Drug Programs in the amount of \$17,066,667 as a condition of receiving State funds for substance abuse treatment; authorizing and designating the Director of Community Substance Abuse Services to sign said agreement and to approve contract amendments for less than ten percent (10%) of the contracted amount. (Department of Public Health)

File 172-97-43, Resolution No. 686-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

[State Medi-Cal Hold Harmless Agreement, FY 1997-98]

Resolution authorizing retroactively, the Department of Public Health Community Substance Abuse Services, to enter into a Combined Negotiated Net Amount and Drug Medi-Cal Hold Harmless Agreement for the term July 1, 1997 through June 30, 1998 with the State of California, Department of Alcohol and Drug Programs in the amount of \$15,930,495 as a condition of receiving State funds for substance abuse treatment; authorizing and designating the Director of Community Substance Abuse Services to sign said agreement and to approve contract amendments for less than ten percent (10%) of the contracted amount. (Department of Public Health)

File 172-97-44, Resolution No. 687-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as Amended

[Compliance With Rule 16]  
((Resolution urging the Bay Area Air Quality Management District to work with dry cleaners effected by Rule 1116, to clarify and properly communicate requirements and work to enable the remaining 2/3 of the dry cleaners to come into compliance with the regulation.)) (Supervisor Yee, Teng, Leal)

Resolution supporting the actions of its representatives on the Bay Area Air Quality Management District Board and urging the BAAQMD Board to continue to work with those Bay Area dry cleaners who are effected by Regulation 11, Rule 16 to clarify and properly communicate requirements and work to enable the dry cleaners to come into compliance with the regulation.

File 229-97-1.1, Resolution No. 691-97

Supervisor Teng, seconded by Supervisor Leal, moved an amendment of the whole entitled, "Resolution supporting the actions of its representatives on the Bay Area Air Quality Management District Board and urging the BAAQMD Board to continue to work with those Bay Area dry cleaners who are effected by Regulation 11, Rule 16 to clarify and properly communicate requirements and work to enable the dry cleaners to come into compliance with the regulation."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor on the following item.

Adopted As Amended

[Endorsing the Sustainability Plan]  
Resolution endorsing the Sustainability Plan of San Francisco, as amended. (Supervisor Bierman)

File 229-97-2, Resolution No. 692-97

Supervisor Bierman, seconded by Supervisor Ammiano, moved to amend report, page 12, by deleting the phrase "4-h. Eliminate feral cat colonies."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Brown, seconded by Supervisor Ammiano, moved to amend the report on page 114, paragraph four, line two, by deleting "low income" and inserting "underserved".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Title amended accordingly on line three, after "Francisco" by adding "as amended" and page two, line 19, after "Francisco" by adding "as amended on pages 13 and 114".

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Kaufman - 1.

The President resumed the Chair.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing appealing decision of Planning Commission by its Motion No. 14377, dated May 22, 1997, approving Conditional Use Application No. 95.673CERS, for conditional use authorization for a Planned Unit Development to permit the resubdivision of 6 lots into 13 lots and the construction of up to 22 dwelling units thereon requiring exceptions from the otherwise applicable Planning Code standards for maximum lot area, rear yard area and usable open space, in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District on property located at 600 block of Clipper Street, north side, and 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue; Lots 16, 17, 19 and 20 in Assessor's Block 6543 and Lots 8 and 9 in Assessor's Block 6544.

File 37-97-4

(Appeal filed June 23, 1997.)

(Final Negative Declaration adopted April 4, 1996.)

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308, San Francisco, CA 94102) at, or prior to, the public hearing.)

The following persons were sworn in and granted privilege of the floor:

Appellants: Ernie Beffel, Jr.; Richard Johns; Audrey Koh; Reginald Locke; Claire Pilcher; Dan Pelsinger; Eleanor Gearhart; Dave Monks; Jacob Lalezari; Carey Perloff; Paul Candus.

Respondents: Gerald Green; Alice Barkley; Tony Wong; Edward Ueda; Michael Tam; Rose McNulty; Misty Potter read letter of Chester Villalba; Bi-Xia Zhang Tam; Siu Hoi Leung; Gilbert Chan; John Schlesinger; Gordon Wong.

A rebuttal period was allowed.

The President then declared the hearing closed.

Adopted

[Final Negative Declaration]

Motion certifying review of Final Negative Declaration relating to proposed conditional use of property at 600 block of Clipper Street, north side, and the 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue, and adopting findings pursuant to Planning Code Section 101.1.

File 37-97-4.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as Amended

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

((Motion approving decision of the Planning Commission by its Motion No. 14377, approving Conditional Use Application No. 95.673CERS, on property located at 600 block of Clipper Street, north side, and the 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue, and adopting findings pursuant to Planning Code Section 101.1.))

Motion confirming approval by the Planning Commission by its Motion No. 14377, approving Conditional Use Application No. 95.673CERS, on property located at 600 block of Clipper Street, north side, and the 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue, with exceptions, and adopting findings pursuant to Planning Code Section 101.1.

File 37-97-4.2

Supervisor Leal, seconded by Supervisor Yaki, moved to amend line 17, after "approved" by adding "with the following exceptions: This Board of Supervisors does hereby confirm the approval by the Planning Commission of a 22-unit residential development on a 13-lot re-subdivision of the Subject Property. The Project design shall be in general conformity with plans labeled "Exhibit B" on file in the Planning Department with Case No. 95.673CERS with the following exceptions: The two-family dwellings on subject Lots "H", "I", "L" and "Z" shall be a maximum of two stories over a basement garage level which level shall be (as in said Exhibit "B") set back 10' 2" and which structures shall contain four off-street parking spaces with two such spaces in tandem configuration (also generally as shown in said "Exhibit B")."

New title: Motion confirming approval by the Planning Commission by its Motion No. 14377, approving Conditional Use Application No. 95.673CERS, on property located at 600 block of Clipper Street, north side, and the 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue, with exceptions, and adopting findings pursuant to Planning Code Section 101.1.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Tabled

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 14377, approving Conditional Use Application No. 95.673CERS, on property located at 600 block of Clipper Street, north side, and the 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue, and adopting findings pursuant to Planning Code Section 101.1.

File 37-97-4.3

Supervisor Yaki, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 95.673CERS, on property located at 600 block of Clipper Street, north side, and the 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue, for action by the Board at its next meeting. (Clerk of the Board)

File 37-97-4.4

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### COMMITTEE REPORTS

##### Recommendation of Housing and Neighborhood Services Committee

Adopted

[Grant, Lead-based Paint Hazard Reduction]

Resolution authorizing the Mayor to apply for a grant for lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$3,000,000 for a program authorized under the Department of Housing and Urban Development, and the Omnibus Consolidated Rescissions and Appropriation Act of 1996, Public Law Number 104-134; and including \$30,000 of indirect costs associated with the acceptance of these grant funds. (Supervisors Bierman, Brown, Teng, Yee, Ammiano, Leal)



File 68-97-6, Resolution No. 683-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Yee, Ammiano, Leal requested to be added as co-sponsors.

Temporary Committee Assignment

President Kaufman announced she has appointed Supervisor Mabel Teng to replace Supervisor Brown as a member of the Finance Committee for the July 23, 1997 meeting.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Daniel Pieste, critical mass;  
Jesus Gumbam, employee relations issue.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Grant, District Attorney, \$150,000]  
Resolution amending Resolution No. 1120-96 which authorized the District Attorney to apply for, accept and expend grant funds in the amount of \$150,000 made available through the California Office of Criminal Justice Planning (OCJP) for the continued operation of the "Statutory Rape Vertical Prosecution Program" for the ten month period September 1, 1996 through June 30, 1997 by extending the grant period from June 30 to August 30, 1997. (Supervisor Kaufman)

File 138-96-13.1, Resolution No. 672-97

(July 14, 1997 - Introduced in Board for consideration on July 21, 1997.)

Adopted.

[Commend Deputy Sheriffs' Association]  
Resolution commending the Deputy Sheriffs' Association for their dedication to quality education by providing financial assistance to students. (Supervisors Teng, Bierman, Katz)

File 6-97-131, Resolution No. 673-97

(July 14, 1997 - Introduced in Board for consideration on July 21, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend China Press]  
Resolution commending the China Press for its outstanding service and commitment in bridging the economic and cultural distance between the U.S. and China and declaring July 11, 1997 as "The China Press Day" in San Francisco. (Supervisors Teng, Bierman, Katz)

File 6-97-132, Resolution No. 674-97

(July 14, 1997 - Introduced in Board for consideration on July 21, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.



[Commend "The Songs We Remember" Concert]

Resolution commending "The Songs We Remember" concert to promote cultural and social exchange between the U.S. and China. (Supervisor Teng, Katz)

File 6-97-133, Resolution No. 675-97

(July 14, 1997 - Introduced in Board for consideration on July 21, 1997.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[All Direction Red Light Intersection]

Resolution requesting the Department of Parking and Traffic to consider adding one hundred all direction red light intersections to existing signal light controlled intersections over the course of eight months to one year. (Supervisors Leal, Newsom, Teng, Katz)

File 190-97-9.1, Resolution No. 690-97

(July 14, 1997 - Introduced in Board for consideration on July 21, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Teng requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.13

(July 14, 1997 - Introduced in Board for consideration on July 21, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

#### Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Imperative Resolutions]

Adopted

[Emergency Work, DPW, Radiology, SFGH]

Resolution concurring with and supporting the Director of the Department of Public Works' finding and declaration of a public emergency at the Radiology Department, San Francisco General Hospital; approving necessary measures to be taken in the most expeditious manner to protect the life, safety and health of patients and hospital workers with regard to the emergency situation, such emergency requiring the immediate performance of construction work relating to the immediate repair, reconditioning, and replacement of existing radiology equipment.

File 028-97-003, Resolution No. 679-97

Supervisor Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Commend Sandra Hernandez]

Resolution commending Dr. Sandra Hernandez for her humanitarian work, principles and practices as well as her exemplary service to the people of San Francisco as Director of the Department of Public Health.

File 006-97-134, Resolution No. 676-97

Supervisors Medina, Katz, Ammiano, Bierman, Brown, Kaufman, Leal, Newsom, Teng, Yaki, Yee presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Environmental Review Actions]

Ordinance amending Administrative Code Chapter 31 to extend the September 30, 1997, Sunset Clause to June 30, 1998, for environmental review actions, activities and procedures; companion measure to File 115-97-11. (Excluded from environmental review requirements of the California Quality Act as non-physical project for modification of fee and rate structures). Supervisor Kaufman presented on behalf of the Planning Department. Referred to Finance Committee.

File 097-97-039.

[Extend Planning Dept. Fee Sunset Clause]

Ordinance amending Planning Code Article 3.5A by amending Section 539 to extend the September 30, 1997 Sunset Clause to June 30, 1998, for Planning Department actions, activities and services; companion measure to File 97-97-39. Supervisor Kaufman presented on behalf of the Planning Department. Referred to Finance Committee.

File 115-97-011.

[Taxicab Paratransit Program]

Ordinance amending Police Code by adding Section 1147.7 requiring all taxicab permit holders to participate in the City's Paratransit Program. Supervisors Yaki, Newsom, Leal presented. Referred to Economic Development, Transportation and Technology Committee.

File 121-97-005.

Referred to Board

[State Legislation, SB 500, Handgun]

Resolution supporting Senate Bill 500 (Polanco), prohibiting the manufacture and sale/transfer in the State of California of handguns commonly known as Saturday Night Specials. Supervisors Leal, Yaki, Kaufman, Katz, Newsom, Brown, Teng, Medina, Ammiano presented. Referred to Board For Adoption Without Committee Reference Calendar July 28, 1997.

File 012-97-011.01.

[Roisin McAliskey Justice Campaign]

Resolution declaring support for the Roisin McAliskey Justice Campaign, in demanding Roisin's immediate release by the British Government and protesting the physical and psychological torture to which she has been subjected. Supervisors Ammiano, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar July 28, 1997.

File 013-97-026.

Referred to Committee

[Video Display Terminal Annual Report]

Resolution endorsing and supporting Department of Public Health's Video Display Terminal 1996 Annual Report. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 030-97-015.

Referred to Board

[Gift Acceptance]

Resolution authorizing the Department of Public Health San Francisco General Hospital, to accept retroactively the gift of a 1997 Ford Explorer valued at \$26,600 from the San Francisco General Hospital Foundation, to be used for the paramedic community education program; providing for ratification of action previously taken. Supervisor Kaufman presented on behalf of the Department of Public Health. Referred to Board For Adoption Without Committee Reference Calendar July 28, 1997.

File 038-97-008.

Referred to Committee

[Continuum of Care Plan]

Resolution declaring the policy that the Continuum of Care Plan ("The Plan"), dated August 1996, is the City and County of San Francisco's homeless policy document governing the development of an integrated, effective and coordinated system of health care, housing, employment and support services to prevent and reduce homelessness. Supervisor Katz presented. Referred to Health, Family and Environment Committee with request it be considered at the August 14, 1997 meeting.

File 083-97-001.

[Central Freeway Approval]

Resolution approving, as required by State law, Caltrans Alternative 3-8 for repairing and replacing the Central Freeway, urging Caltrans to proceed with construction, and superseding Resolution 541-92. Supervisors Yaki, Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 085-97-001.02.

Referred to Board

[Job Training, Layoff Woolworth Workers]

Resolution urging the Private Industry Council, the Mayor's Office of Community Development and the Career Link to provide priority retaining services to laid off workers from the Woolworth stores so that they can be competitive in the current job market. Supervisor Teng presented. Referred to Board For Adoption Without Committee Reference Calendar July 28, 1997.

File 156-97-001.

Referred to Committee

[M.H. de Young Museum]

Resolution urging that the M.H. deYoung Museum stay in Golden Gate Park. Supervisor Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 193-97-007.02.

Referred to Board

[Sidewalk Cleanup]

Resolution urging the Department of Public Works, in the process of its efforts to cleanup City sidewalks and related issues, include input from City residents as well as merchants and other City departments. Supervisors Teng, Kaufman presented. Referred to Board For Adoption Without Committee Reference Calendar July 28, 1997.

File 200-97-007.

Charter Amendments:

[Charter, Police, Retirement]

Charter amendment (Draft) amending Section 8.559-1 relating to pension benefits for police officers and firefighters (to allow for retirement at highest rank). Supervisor Newsom presented. Referred to Rules Committee.

File 266-97-001.

Requests for Hearings:

[Treasurer's Investment Policy]

Hearing to consider the Treasurer's Annual Investment Policy for Fiscal Year 1997-98. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the August 6, 1997 meeting.

File 267-97-001.

[Sidewalk Cleanup]

Hearing to consider progress report from the Department of Public Works on its pilot program to cleanup sidewalks and to receive input from residents and merchants in the neighborhoods on the program. Supervisors Teng, Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 200-97-007.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-97-004. [Zoning Map Amendment, Bayshore Blvd/Hester Ave.] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 2011 Bayshore Boulevard, with additional frontage on Hester Avenue, Lots 3, 10 and 11 in Assessor's Block 5054A, from an NC-S (Neighborhood Commercial Shopping Center District) to the Bayshore-Hester Special Use District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 115-97-10. (Planning Department) Referred to Economic Development, Transportation and Technology Committee.

File 045-97-079. [Beverly Hartley v. CCSF, et al.] Ordinance authorizing settlement of litigation of Beverly Hartley against the City and County of San Francisco by payment of \$67,500. (Superior Court No. 976-268). (City Attorney) Referred to Rules Committee.

File 045-97-080. [Cala Foods, Inc. v. CCSF] Ordinance authorizing settlement of litigation of Cala Foods, Inc. against the City and County of San Francisco by recognizing a reduction of property taxes due by \$27,225.58. (Superior Court No. 980-566) (City Attorney) Referred to Rules Committee.

File 045-97-081. [Maher Abuyaghi v. CCSF, et al.] Ordinance authorizing settlement of litigation of Maher Abuyaghi against the City and County of San Francisco, Richard Quesada, et al. by payment of \$8,750. (Municipal Court No. 127-832). (City Attorney) Referred to Rules Committee.

File 048-97-051. [Settlement of Unlitigated Claim] Ordinance authorizing settlement of unlitigated claim of the United States Department of Health and Human Services against the City and County of San Francisco by paying the amount of \$97,621.64 for Medicare reimbursement. (City Attorney) Referred to Rules Committee.

File 093-96-030.02. [Amendment to MOU, Local 911] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the San Francisco Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County of San Francisco for Bargaining Units P-1; P-2A and P-2B to be effective for the period July 1, 1997 through June 30, 2001. (Department of Human Services) Referred to Finance Committee.

File 093-97-047. [MOU, Local 790 Bargaining Unit SC4] Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County of San Francisco for Bargaining Unit SC4, to be effective for the period July 1, 1997 through June 30, 2000. (Department of Human Resources) Referred to Finance Committee.

File 102-97-003. [Salary Ordinance Amendment, Board of Supervisors] Ordinance amending Annual Salary Ordinance 1997/98, Board of Supervisors, reflecting the creation of ten (10) positions (Class 1364 Special Assistant V); companion measure to File 101-97-?. (Department of Human Resources) Referred to Budget Committee.

File 115-97-010. [Bayshore-Hester Special Use District] Ordinance amending Planning Code to create Section 780.2 "Bayshore-Hester Special Use District", to amend Section 713 "Neighborhood Commercial Shopping Center" by revising its use table to add a note to Section 713.55 and to include said new section 780.2 as a special provision, and to amend Section 790.46 to include, within said "Bayshore-Hester Special Use District" only, a "Motel" within the definition of "Hotel, Tourist" pursuant to Section 101 of the Planning Code and adopting findings pursuant to Section 101.1; companion measure to File 36-97-4. (Planning Commission Resolution No. 14375 approving amendments to the text of the Planning Code and to Zoning Map adopted 5/22/97; Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated 4/1/97.) (Planning Department) Referred to Economic Development, Transportation and Technology Committee.

File 118-97-003. [Patient Rates for DPH Services, FY 1997-98] Ordinance amending Health Code by amending Section 128 thereof, fixing patient rates for services furnished by City and County healthcare institutions; authorizing retroactively the effective date of July 1, 1997. (Department of Public Health) Referred to Finance Committee.

#### Resolutions Referred to Committee

File 007-97-011. [Partial Discontinuance of Service, MUNI Routes] Resolution approving the proposed discontinuance of service on the 12-Folsom, 15-Third, 30X-Marina Express and 42-Downtown Loop southbound on Battery and replacement southbound on Sansome and the proposed discontinuance of the 15-Third southbound on First Street and replacement westbound on Market and southbound on Second Street; companion measure to File 7-97-11.1. (Public Transportation Commission) Scheduled for public hearing before Board on August 4, 1997, at 3:00 p.m.

File 007-97-011.01. [Partial Discontinuance of Service, MUNI Routes] Resolution disapproving the proposed discontinuance of service on the 12-Folsom, 15-Third, 30X-Marina Express, and 42 Downtown Loop southbound on Battery and replacement southbound on Sansome and the proposed discontinuance of the 15-Third southbound on First Street and replacement westbound on Market and southbound on Second Street; companion measure to File 7-97-11. (Public Transportation Commission) Scheduled for public hearing before Board on August 4, 1997, at 3:00 p.m.

File 018-97-006. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1346. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-005. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1346. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-006. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1346. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-005. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1346. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 040-97-016. [Residential Parking Area "H", Lakeside Area] Resolution extending the boundaries of Residential Permit Parking Area "H" in the Lakeside Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 041-97-001. [Special Assessment Liens, Building Inspection] Resolution confirming report of delinquent charges for code enforcement cases with delinquent assessment of costs, emergency order fees, reinspection fees, and penalties for failure to file the annual unit usage report and or fees pursuant to the provisions of Sections 102.1, 102.2, 102.3, 102.14, 102.15, 102.16, 102.17, 102.18 et seq., 108.8 and Section 110 Tables I-G, and I-K, of the San Francisco Building Code, and Sections 41.10 and 41.20 of Chapter 41 of the San Francisco Administrative Code submitted by the Director of the Department of Building Inspection for services rendered by said department the costs thereof having accrued pursuant to the code violations referenced above. (Department of Building Inspection) Scheduled for public hearing before Board on August 4, 1997, at 3:00 p.m.

File 048-97-052. [Settlement of Claim, Larry Banner] Resolution approving the settlement of the unlitigated claim of Larry Banner by payment of \$15,000.00. (City Attorney) Referred to Rules Committee.

File 172-97-051. [Agreement, Sheriff - Interactive Systems] Resolution authorizing the San Francisco Sheriff's Department to enter into an agreement with Interactive Systems, LLC for VINE, an automated victim notification service, which agreement provides for mutual indemnification from claims or other damages which arises as a result of performance under said agreement. (Sheriff) Referred to Housing and Neighborhood Services Committee.

File 213-97-002. [Grant, MUNI Advanced Train Control System Project] Resolution authorizing the Public Transportation Commission to apply for, accept and expend \$3,182,282 of State Clean Air and Transportation Improvement Act Bond funds and \$3,553,154 of State Flexible Congestion Relief Transportation Improvement Act Bond funds for the replacement of Municipal Railway subway signal system waiving indirect costs. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Rose Katz (By the entire Board)  
Gussie Mae Porter (Supervisors Leal, Katz)  
Thomas Edward Bassett (Supervisor Amiano)  
Joseph Barnes, Sr. (Supervisor Katz)  
Hazel Schey (Supervisor Katz)  
Doretha Franklin (Supervisor Brown)  
Matthew Kaplan (Supervisor Newsom)

File 2-97-29

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 6:30 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 29, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

SF  
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72  
/28/97  
Monday, July 28, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 28, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Noted absent at first roll call:

None.

Quorum present.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Medina, moved that the Journal of Proceedings for Monday, May 5, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Presentation of Guests

Supervisor Teng introduced and welcomed a delegation from Peking University who are on a study tour in San Francisco for a few months. A representative from the delegation presented a gift to the City of a silk screen scene of the Peking University.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Low-Value Tax Exemption]

Ordinance amending Administrative Code, to exempt from property taxation all personal property of a taxpayer on the unsecured property tax roll with a total full value of \$4,000 or less. (Supervisors Brown, Bierman, Teng)

File 97-97-26, Ordinance No. 308-97

(Adds Section 10.2-8.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 18-97-4, Resolution No. 694-97

(Stop Signs - Establish

22nd Avenue and Noriega Street, northeast and southwest corners, stopping Noriega Street (makes this an all-way Stop);

23rd and Indiana Streets, northeast and southwest corners, stopping 23rd Street makes this an all-way Stop);

23rd and Noe Streets, northwest and southeast corners, stopping Noe Street (makes this an all-way Stop);

Folsom Street and Ogden Avenue, all corners, stopping all approaches (makes this an all-way Stop);

Mayfair Drive and Spruce Street, northeast, northwest, and southwest corners; stopping all approaches (makes this T-intersection an all-way Stop).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 19-97-3, Resolution No. 695-97

(Tow-Away, No Parking Anytime - Establish

Steuart Street, east side, between the north and south property lines of Market Street.

Unmetered Motorcycle Parking - Establish

Larkin Street, west side, from 85 feet to 92 feet north of Filbert Street (7-foot zone between the driveways for #2417, #2423 and #2425 Larkin Street, accommodating 2 motorcycles);

Vallejo Street, north side, from 133 feet to 143 feet east of Larkin Street (10-foot zone between the driveways for #1356, #1360 and #1362 Vallejo Street, accommodating 2 motorcycles);

Vallejo Street, north side, from 136 feet to 146 feet west of Hyde Street (10-foot zone between the driveways for #1328, #1330, #1334 and #1338 Vallejo Street, accommodating 2 motorcycles);

Vallejo Street, north side, from 272 feet to 278 feet west of Larkin Street (6-foot zone between the driveways for #1456 Vallejo Street, accommodating 1 motorcycle);

Vallejo Street, north side, from 290 feet to 296 feet west of Larkin Street (6-foot zone between the driveways for #1456 and #1462 Vallejo Street, accommodating 1 motorcycle);

Vallejo Street, south side, from 116 feet to 125 feet west of Hyde Street (9-foot zone between the driveways for #1325, #1327, #1329 and #1331 Vallejo Street, accommodating 2 motorcycles).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 19-97-4, Resolution No. 696-97

(Two-Hour Parking Time Limit, 7 a.m. - 6 p.m. Everyday - Revoke  
Four-Hour Parking Time Limit, 7 a.m. - 6 p.m. Everyday - Establish

Point Lobos Avenue, north and west sides, between Merrie Way and Great Highway (change in time limit only).

No Parking Anytime - Establish

Putnam Street, east side, from Crescent Street to 120 feet northerly (120-foot zone).

No Parking Anytime - Rescind

Ambrose Bierce Way, south side, between Annie and New Montgomery Streets.

One-Hour Parking Time limit, 7 a.m. - 6 p.m. Everyday - Establish

Sloat Boulevard, south side, from Everglade Drive to 95 feet easterly (95-foot zone, in front of #1465 Sloat Boulevard).

Police Vehicle Parking only - Revoke

10th Street, west side, from 214 feet to 436 feet south of Howard Street (222-foot zone).

Tow-Away, No Parking Anytime - Rescind

Howard Street, south side, from 13th Street to 298 feet easterly (298-foot zone).

Unmetered Motorcycle Parking - Establish

Telegraph Hill Boulevard, east side, from approximately 32 feet to 39 feet north of the south property line of Greenwich Street (7-foot zone, accommodating 2 motorcycles.)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 20-97-3, Resolution No. 697-97

(Left Lane must Turn Left - Establish

Bacon Street, eastbound, at Bayshore Boulevard.

No Left Turn, 7 am - 7 pm, Monday through Friday - Establish

6th Street, northbound, at Howard Street.

No Left Turn, 7 am - 7 pm, Monday through Friday, Except MUNI - Establish

6th Street, northbound, at Mission Street.

One-way Street - Establish

Mercury Street, southbound, between Ledyard Street and Thornton Avenue.

Crosswalk Closures - Establish

Beach Street and Grant Avenue, west crosswalk, crossing Beach Street;

Beach and Stockton Streets, east crosswalk, crossing Beach Street;

Beach and Stockton Streets, north crosswalk, crossing Pier 39 garage exit.

Left Lane must Turn Left - Establish

Jefferson Street, westbound, at Jones Street;

Pier 39 Garage Exit, southbound, at Beach Street (opposite Stockton Street);

The Embarcadero, westbound, at Powell Street.

No Left Turns or U-Turns - Establish

Beach Street, eastbound, at The Embarcadero;

The Embarcadero, eastbound, at Beach Street.

No Turn on Red - Establish

Grant Avenue, northbound, at The Embarcadero/Beach Street;

Pier 39 Garage Exit, southbound, at The Embarcadero;

The Embarcadero, westbound, at Pier 39.

One-Way Street - Rescind

Hyde Street, southbound, between Jefferson and Beach Streets (restores two-way operation);

Jefferson Street, westbound, between Jones and Hyde Streets (restores two-way operation);

Taylor Street, southbound, between The Embarcadero and Bay Street (restores two-way operation);

The Embarcadero, westbound, between Powell and Taylor Streets (restores two-way operation).

Right Lane must turn Right - Establish

Jefferson Street, eastbound, at Jones Street.

Right lane must turn Right, except MUNI - Establish

Beach Street, eastbound, at Mason Street;

Beach Street, eastbound, at Powell Street;

Beach Street, eastbound, at Stockton Street;

Beach Street, eastbound, at Taylor Street;

Jefferson Street, westbound at Taylor Street;

The Embarcadero, westbound, at Powell Street.

Tow-Away, No Stopping Anytime - Establish

Beach Street, south side, between Jones Street and Grant Avenue;

Jefferson Street, north side, between Taylor and Powell Streets;

Jefferson Street, north side, from Jones Street to a point 150 feet west of Taylor Street;

Jones Street, west side, between Jefferson and Beach Streets;

The Embarcadero, north side, between Powell and North Point Streets/Kearny Street.

Tow-Away, No Stopping, 3 pm - 6 pm, Monday through Friday - Revoke

Davis Street, both sides, between Clay and Sacramento Streets.

Transit Vehicles Only - Establish

Beach Street, south curb lane (eastbound), between Jones Street and Grant Avenue;

Jefferson Street, north curb lane (westbound), between Taylor and Powell Streets;

Jefferson Street, north curb lane (westbound), from Jones Street to a point 150 feet west of Taylor Street;

Jones Street, west curb lane (southbound), between Jefferson and Beach Streets.)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 20-97-4, Resolution No. 698-97

(Bicycle Lanes - Establish

El Camino Del Mar, both curb lanes (eastbound and westbound), between 25th and 29th Avenues;

El Camino Del Mar, south curb lane (eastbound only), between 25th Avenue and Lincoln Boulevard.

Crosswalk Closure - Establish

23rd and Utah Streets, east side, crossing 23rd Street (in conjunction with proposed removal of STOP signs for 23rd Street at this location);

South Van Ness Avenue and Howard Street, north side, crossing South Van Ness Avenue.

Mid-Block Crosswalks - Establish

Gilman Avenue and Donahue Street right-of-way, east side, crossing Gilman Avenue (at pedestrian gate for 3COM Park);

John Muir Drive, just west of the driveway for #515 John Muir Drive (Oakwood Apartments), crossing John Muir Drive;

John Muir Drive, just west of the driveway for #555 John Muir Drive (Oakwood Apartments), crossing John Muir Drive;

John Muir Drive, just west of the driveway for #655 John Muir Drive (Oakwood Apartments), crossing John Muir Drive.

No Turns - Establish

South Van Ness Avenue, southbound, at Howard Street.

One-Way Street - Establish

Balmy Street, northbound, between 24th and 25th Streets.

No U-Turns - Establish

Laguna Honda Boulevard, southbound, at Woodside Avenue;

Lincoln Way, eastbound and westbound, at 8th Avenue;

Lincoln Way, eastbound, at Funston Avenue.

One-Way Street - Rescind

Stevenson Street, westbound, between 3rd and Annie Streets.

One-Way Street - Establish

Stevenson Street, eastbound, between 3rd and Annie Streets.

Right Lane must Turn Right - Rescind

Burnett Avenue, southbound, at Portola Drive.

Tow-Away Lane must Turn Right - Establish

Valencia Street, southbound, at Cesar Chavez Street.

Tow-Away, No Stopping Anytime - Establish

13th Street, south side, from South Van Ness Avenue to 200 feet westerly (200-foot zone);

Ambrose Bierce Way, south side, between Annie and New Montgomery Streets;

Howard Street, north side, from South Van Ness Avenue to 60 feet easterly (60-foot zone);

Polk Street, east side, from Turk Street to a point 41 feet north of Golden Gate Avenue (zone to be shortened to accommodate motorcycle parking);

South Van Ness Avenue, east side, from Howard Street to 60 feet northerly (60-foot zone);

South Van Ness Avenue, west side, from 13th Street to 180 feet northerly (180-foot zone).

Tow-Away, No Stopping Anytime - Rescind

Polk Street, east side, between Golden Gate Avenue and Turk Street (zone to be shortened to accommodate motorcycle parking).

Tow-Away, No Stopping, 4 pm - 6 pm Monday through Friday - Rescind

Howard Street, north side, between 9th Street and South Van Ness Avenue.)

Adopted.

[Residential Parking Area "J", Sunset/Parnassus]

Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights area and adding to the list of streets upon which time limitations shall apply (Frederick Street, between Clayton and Cole Streets, both sides). (Department of Parking and Traffic)

File 40-97-9, Resolution No. 699-97

Adopted.

[Residential Parking Area "J", Sunset/Parnassus]

Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the lists of streets upon which time limitations shall apply (Beulah Street, between Cole and Stanyan Streets, both sides). (Department of Parking and Traffic)

File 40-97-11, Resolution No. 700-97

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Corrine and Clint Moore v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Corrine Johnson-Moore and Clint Moore against the City and County by payment of \$5,500. (City Attorney)

File 45-97-65, Ordinance No.

(Municipal Court No. 129-660.)

Passed for second reading.

[Devera Petak v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Devera Petak against the City and County by payment of \$82,500. (City Attorney)

File 45-97-66, Ordinance No.

(Superior Court No. 968-045.)

Passed for second reading.

[Abraham Ramos v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Abraham Ramos against the City and County by payment of \$10,000. (City Attorney)

File 45-97-67, Ordinance No.

(Superior Court No. 974-763.)

Passed for second reading.

[Evelyn Sell v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Evelyn Sell against the City and County by payment of \$33,000. (City Attorney)

File 45-97-68, Ordinance No.

(Superior Court No. 970-888.)

Passed for second reading.

[Candida Roiz v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Candida Roiz against the City and County by payment of \$145,000. (City Attorney)

File 45-97-69, Ordinance No.

(Superior Court No. 973-830.)

Passed for second reading.

[John M. Montin v. CCSF, et al.]

Ordinance authorizing settlement of litigation of John M. Montin against the City and County by payment of \$21,250. (City Attorney)

File 45-97-70, Ordinance No.

(Superior Court No. 978-203.)

Passed for second reading.

[Matthew F. Burke v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Matthew F. Burke against the City and County by payment of \$30,000. (City Attorney)

File 45-97-71, Ordinance No.

(Superior Court No. 979-618.)

Passed for second reading.

[Juanita Sandoval v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Juanita Sandoval against the City and County by payment of \$11,500. (City Attorney)

File 45-97-72, Ordinance No.

(Superior Court No. 979-924.)

Passed for second reading.

[Jeane F. Ashton v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jeane Ashton against the City and County by payment of \$15,000. (City Attorney)

File 45-97-73, Ordinance No.

(Superior Court No. 965-143.)

Passed for second reading.

[Norman Doolittle v. CCSF, et al.]

Ordinance authorizing partial settlement of litigation of Norman Patrick Doolittle against the City and County by payment of \$11,000, for the property damage claim and not the personal injury claims which are still pending. (City Attorney)

File 45-97-74, Ordinance No.

(Superior Court No. 978-634.)

Passed for second reading.

[Stacy Hill v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Stacy Hill against the City and County by payment of \$55,000. (City Attorney)

File 45-97-75, Ordinance No.

(Superior Court No. 974-401.)

Passed for second reading.

[Joy Taylor v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Joy C. Taylor against the City and County by payment of \$35,000. (City Attorney)

File 45-97-76, Ordinance No.

(Superior Court No. 960-156.)

Passed for second reading.

[Leo Graf, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Leo F. Graf against the City and County by payment of \$195,000 to Leo F. Graf, and \$55,000 to the San Francisco Newspaper Agency. (City Attorney)

File 45-97-77, Ordinance No.

(Superior Court No. 972-731.)

Passed for second reading.

[Lombardo v. Weatherman and CCSF]

Ordinance authorizing settlement of the litigation entitled Lorraine Lombardo v. Joseph Weatherman and

the City and County by payment of \$35,000 to Lorraine Lombardo and \$35,000 to Lorraine Lombardo's attorney as attorney's fees and costs. (City Attorney)

File 45-97-78, Ordinance No.

(United States District Court No. C94-2965.)  
(United States Court of Appeals No. 97-15049.)

Passed for second reading.

Adopted

[Gift Acceptance]

Resolution authorizing the Chief of Police to accept, on behalf of the Police Department, the gift of one (1) TRAK Computer System valued at approximately \$8,500.00 from Social Tech, Inc. (Police Commission)

File 38-97-7, Resolution No. 713-97

Adopted.

[Settlement of Claim, Viulen Kotovskiy]

Resolution approving the settlement of the unlitigated claim of Viulen Kotovskiy by payment of \$6,500.00. (City Attorney)

File 48-97-48, Resolution No. 715-97

Adopted.

[Settlement of Claim, John S. Batanides]

Resolution approving the settlement of the unlitigated claim of John S. Batanides by payment of \$7,500.00. (City Attorney)

File 48-97-49, Resolution No. 716-97

Adopted.

[Settlement of Claim, Thomas R. McAfee]

Resolution approving the settlement of the unlitigated claim of Thomas R. McAfee by payment of \$10,000.00. (City Attorney)

File 48-97-50, Resolution No. 717-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Amiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Consideration of Mayor's Veto

Tabled

[Park Patrol]

Resolution recognizing the contribution and work of the Park Patrol unit of the Recreation and Park Department and urging the department to fully fund, train and staff the Park Patrol. (Supervisors Medina, Katz)

File 100-97-2, Resolution No.

(June 23, 1997 - Adopted.

July 2, 1997 - Returned to Board by Mayor, disapproved.

July 21, 1997 - Consideration continued to July 28, 1997.)

Supervisor Medina, seconded by Supervisor Leal, moved to table.



Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

From the Clerk

Adopted

[Findings, 600 Block of Clipper Street]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 95.673CERS, for a Planned Unit Development to permit the resubdivision of 6 lots into 13 lots, and the construction of up to 22 dwelling units thereon requiring exceptions from the otherwise applicable Planning Code standards for maximum lot area, rear yard area and usable open space, in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District on property located in the 600 block of Clipper Street, north side, and in the 4400 block of 25th Street, south side, between Douglass Street and Hoffman Avenue (Lots 16, 17, 19 and 20 in Assessor's Block 6543 and Lots 8 and 9 in Assessor's Block 6544), and approving the granting of the conditional use application with an additional condition.

File 37-97-4.5

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Finance Committee

Finally passed

[Annual Appropriation Ordinance, Fiscal Year 1997-98]

Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County, for fiscal year ending June 30, 1998. (Mayor)

File 101-97-2, Ordinance No. 306-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Annual Salary Ordinance]

Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1998, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof; companion measure to File 101-97-2. (Mayor)

File 102-97-2, Ordinance No. 307-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Pacific Gas & Electric Company v. City and County and other putative claims of City and County and Pacific Gas and Electric Company, as more fully set forth in Master Settlement Agreement, for payment by Pacific Gas and Electric Company to City and County of the sum \$132,494 and other valuable consideration; companion measure to File 123-97-4. (Supervisor Leal)

File 45-97-50, Ordinance No. 304-97

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

[Assessments for Undergrounding]

Ordinance amending Public Works Code Section 929 to allow assessments for undergrounding to be paid in a single lump sum or ten installments during a five year period; companion measure to File 45-97-50. (Supervisors Leal, Teng)

File 123-97-4, Ordinance No. 305-97

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

[Appropriation, Mayor]

Ordinance appropriating \$10,000, Mayor's Office, from General Fund Reserve, for other current expenses (purchase of stock), for fiscal year 1997-98. (Supervisors Kaufman, Leal, Newsom, Teng)

File 101-97-3, Ordinance No. 309-97

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisors Ammiano, Bierman - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Amendment to MOU, Local 911]

Ordinance implementing the provisions of Amendment No. 2 to the Memorandum of Understanding between the Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County of San Francisco for Bargaining Units P-1; P-2A and P-2B to add Bargaining Units 148 and 158 to the terms of Memorandum of Understanding effective July 1, 1997 through June 30, 2001; providing for retroactively. (Department of Human Resources)

File 93-96-30.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Grant, CalTrain-SFO Shuttle Service]

Resolution authorizing the Airport Commission to retroactively seek, accept and expend funds for a CalTrain SFO Shuttle from the Bay Area Air Quality Management District's Transportation Fund for Clean Air (TFCA) for the 1998 service year; waiving indirect costs. (Supervisor Teng)

File 27-97-8, Resolution No. 712-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for Second Reading

[Court Compensation, FY 1997-98]

Ordinance setting schedules of compensation and other economic benefits for fiscal year 1997-1998 for certain classifications of persons employed by the Municipal and Superior Courts for the City and County. (Municipal Court)

File 106-97-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

Adopted

(Supervisor Kaufman was excused from voting in Committee) on the following six items.)

[CEQA, China Basin Ballpark]  
Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State guidelines in connection with certain documents relating to the China Basin Ballpark Project, including the disposition and development agreement, the ground lease, the non-relocation agreement and guaranty and approval of the purchase of the CalTrans parcel; companion measure to Files 262-97-2, 262-97-3, 262-97-4. (Supervisors Yaki, Teng)

File 262-97-1, Resolution No. 701-97

(Fiscal Impact.)

Supervisors Kaufman, Newsom Excused from Voting

The Clerk announced that Supervisors Kaufman and Newsom requested to be excused from voting because of a possible conflict of interest on this measure and the following five items.

Supervisor Ammiano, seconded by Supervisor Yaki, moved to excuse Supervisors Kaufman and Newsom from voting on this measure and the following five items.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisors Kaufman, Newsom - 2.

[China Basin Ballpark, Disposition/Development]  
Resolution approving and authorizing a lease disposition and development agreement between the City and County, through its Port Commission, and China Basin Ballpark Company LLC, as developer, concerning an agreement to lease certain real property bounded generally by King Street, Second Street, China Basin Channel and Third Street, and governing the development of a new ballpark for the San Francisco Giants and for other commercial, assembly and recreation uses; adopting findings that the agreement is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. (Supervisors Yaki, Teng)

File 262-97-2, Resolution No. 702-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisors Kaufman, Newsom - 2.

[China Basin Ballpark, Ground Lease]  
Resolution approving and authorizing a ground lease agreement between the City and County, through its Port Commission, as landlord, and China Basin Ballpark Company LLC, as tenant, concerning the lease of certain real property bounded generally by King Street, Second Street, China Basin Channel and Third Street, for the development and operation of a new ballpark for the San Francisco Giants and for other commercial, assembly and recreation uses; adopting findings that the lease is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. (Supervisors Yaki, Teng)

File 262-97-3, Resolution No. 703-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisors Kaufman, Newsom - 2.

[China Basin Ballpark, Non-Relocation Agreement]

Resolution approving and authorizing a non-relocation agreement and a guaranty from San Francisco Baseball Associates LP, owner of the San Francisco Giants Baseball Team, concerning certain assurances by the team owner for the benefit of the City in connection with the lease and development of a new ballpark at China Basin; adopting findings that the purchase is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. (Supervisors Yaki, Teng)

File 262-97-4, Resolution No. 704-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisors Kaufman, Newsom - 2.

[China Basin Ballpark, CalTrans Parcel]

Resolution approving and authorizing an agreement between the City and County, through its Port Commission, as buyer, and the State of California, Department of Transportation, as seller, for the purchase of real property bounded by King, Second, Berry and Third Streets (AB 3794, Lots 3B and 27), at a purchase price of \$3,600,000; approving and authorizing agreements by the City to indemnify the State for hazardous materials and for the termination of tenancies, in connection with the purchase of the property; adopting findings that the purchase is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to File 262-97-1. (Supervisors Yaki, Teng)

File 262-97-5, Resolution No. 705-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisors Kaufman, Newsom - 2.

Passed for Second Reading

[Appropriation, Port Commission/FY 1997-98]

Ordinance appropriating \$4,450,000, Port Commission, Harbor Operating Fund Loan Revenue to purchase property for the Caltrans Site Acquisition Project for fiscal year 1997-98; companion measure to File 262-97-5. (Mayor)

File 101-97-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisors Kaufman, Newsom - 2.

The President resumed the chair.

Recommendations of Housing and Neighborhood Services Committee

Passed for Second Reading

[West Portal Neighborhood Commercial District]

Ordinance amending Planning Code, to add "Specific Provisions" to the end of the West Portal Neighborhood Commercial District (NCD) control table that would add a condition to the "Business and Professional Service" use limiting to seven (7) the total number of "Financial Institutions" together with stock broker offices in the "Business and Professional Service" category on the ground floor in the West Portal NCD, and by placing a pound sign (#) under the column for the 1st floor to direct the reader to this condition and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Teng)

File 115-97-6, Ordinance No.

(Amend Sections 729, 729.53.)

(Planning Resolution No. 14334 adopted March 20, 1997, recommending the proposed amendment.)

(General Rule Exclusion dated March 4, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Encroachment Permit, 657 Turk/Elm Streets]  
Resolution rescinding Resolution No. 242-97 and granting revocable permission to Neilsen Dillingham Builders, Inc. to reconfigure the temporary closure and occupancy of the south sidewalk and a portion of the street area on Turk Street and the north sidewalk and portion of the street area on Elm Street during construction operations at Tenderloin Elementary School at 657 Turk Street. (Department of Public Works)

File 10-97-2.1, Resolution No.708-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as Amended

[Stop Intersection, 17th and Eureka Streets]  
Resolution approving the installation of Stop Signs at the intersection of 17th and Eureka Streets. (Supervisors Katz, Leal, Teng)

File 18-97-3, Resolution No. 710-97

Supervisor Teng, seconded by Supervisor Yaki, moved to amend line 13, after "Streets" by inserting "northeast and southwest corners stopping traffic on 17th Street, making this a two-way Stop".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

(Supervisor Yee dissenting in Committee.)

[Stop Intersections]  
Resolution designating and rescinding certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 18-97-5, Resolution No.711-97

(Stop Signs - Establish

15th Avenue and Ortega Street, southwest corner, stopping Ortega Street (makes this T-intersection a one-way Stop);

23rd Street and S.F. General Hospital Driveway (west of San Bruno Avenue) northeast and southwest corners, stopping 23rd Street (makes this an all-way Stop).

Stop Signs - Rescind

23rd and Utah Streets, northeast and southwest corners, stopping 23rd Street (restores 1-way Stop control at this T-intersection).)

Supervisor Teng, seconded by Supervisor Brown, moved to amend title, line two, after "designating", by inserting "and rescinding".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,  
Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

Recommendations of Rules Committee

Adopted

[Appointments, Ballot Simplification Committee]

Resolution appointing member to the Ballot Simplification Committee, for new two-year term ending November 30, 1998. (Rules Committee)

File 92-96-62, Resolution No. 706-97

(Betty J. Packard, vice Nicholas De Luca, Seat No. 21202, represents the Northern California Broadcasters Association, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Reimbursement to Employees, Second Quarter, 1997]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged and/or stolen in the line of duty. (Rules Committee)

File 51-97-2, Resolution No. 718-97

(Four claims totaling \$436.09.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Public Entities vs. Bank of America]

Resolution authorizing City Attorney to undertake, at no cost to the City, representation of California cities, counties and other local public entities in State of California and all political subdivisions thereof, ex rel. Patrick Stull vs. Bank of America. (Supervisor Yaki)

File 194-97-6, Resolution No. 720-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, police brutality, elimination of constitution for poor people;  
Worldwind Dreamer, critical mass incident;  
Jesus Gumban, employee relations issue;  
John, American Indians;  
Mike Horan, park patrol;  
Lorraine Grassano, park patrol;  
Robert W. Pedersen, park patrol;  
John Ruppert, park patrol.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

#### Committee Assignments

President Kaufman announced the following new committee assignments to be effective July 29, 1997.

##### Economic Development, Transportation and Technology Supervisors Yaki, Katz, Medina

##### Finance Supervisors Leal, Kaufman, Brown

##### Health, Family and Environment Supervisors Bierman, Katz, Newsom

##### Housing and Neighborhood Services Supervisors Teng, Medina, Newsom

##### Rules Supervisors Ammiano, Brown, Yee

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

#### Adopted

[State Legislation, SB 500, Handgun]  
Resolution supporting Senate Bill 500 (Polanco), prohibiting the manufacture and sale/transfer in the State of California of handguns commonly known as Saturday Night Specials. (Supervisors Leal, Yaki, Kaufman, Katz, Newsom, Brown, Teng, Medina, Ammiano, Bierman)

File 12-97-11.1, Resolution No. 709-97

(July 21, 1997 - Introduced in Board for consideration on July 28, 1997.)

Adopted.

[Roisin McAliskey Justice Campaign]  
Resolution declaring support for the Roisin McAliskey Justice Campaign, in demanding Roisin's immediate release by the British Government and protesting the physical and psychological torture to which she has been subjected. (Supervisors Ammiano, Bierman, Katz, Medina)

File 13-97-26, Resolution No. 729-97

(July 21, 1997 - Introduced in Board for consideration on July 28, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Gift Acceptance]  
Resolution authorizing the Department of Public Health San Francisco General Hospital, to accept retroactively the gift of a 1997 Ford Explorer valued at \$26,600 from the San Francisco General Hospital Foundation, to be used for the paramedic community education program; providing for ratification of action previously taken. (Supervisor Leal)

File 38-97-8, Resolution No. 714-97

(July 21, 1997 - Introduced in Board for consideration on July 28, 1997.)

Adopted.

[Job Training, Layoff Woolworth Workers]

Resolution urging the Private Industry Council, the Mayor's Office of Community Development and the Career Link to provide priority retaining services to laid off workers from the Woolworth stores so that they can be competitive in the current job market. (Supervisors Teng, Bierman, Katz, Ammiano, Leal)

File 156-97-1, Resolution No. 719-97

(July 21, 1997 - Introduced in Board for consideration on July 28, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Ammiano, Leal requested to be added as co-sponsors.

[Sidewalk Cleanup]

Resolution urging the Department of Public Works, in the process of its efforts to cleanup City sidewalks and related issues, include input from City residents as well as merchants and other City departments. (Supervisors Teng, Kaufman, Bierman, Katz, Medina, Newsom, Ammiano)

File 200-97-7, Resolution No. 721-97

(July 21, 1997 - Introduced in Board for consideration on July 28, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Medina, Newsom, Ammiano) requested to be added as co-sponsors.

[Final Map, 1 Rausch Street]

Motion approving final map of No. 1 Rausch Street, a Live/Work Condominium Project, being a subdivision of Lot 88 in Assessor's Block No. 3730, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-14

(July 21, 1997 - Referred to Board for consideration on July 28, 1997.)

Adopted.

[Final Map, 540 Delancey Street]

Motion approving final map of 540 Delancey Street, a Live/Work Condominium Project, being a subdivision of Lot 2 in Assessor's Block No. 3774, and adopting findings pursuant to Redevelopment Plan per Resolution No. 218-95. (Department of Public Works)

File 58-97-15

(July 21, 1997 - Referred to Board for consideration on July 28, 1997.)

Adopted.

[Final Map, 1576 Union Street]

Motion approving final map of 1576 Union Street, a Residential Condominium Project, being a subdivision of Lot 16 in Assessor's Block No. 527, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-16

(July 21, 1997 - Referred to Board for consideration on July 28, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.



IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Brown, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Brown, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Imperative Resolution]

Adopted

[Proclaim, Indian Independence Month]

Resolution proclaiming the month of August 1997 as Indian Independence Month in San Francisco and commending Federation of Indo-American Associations for their work in organizing the Golden Jubilee Celebration and for their contributions to the City and County of San Francisco.

File 004-97-030, Resolution No. 707-97

Supervisors Kaufman, Katz, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, COPS, Muni Transit]

Ordinance appropriating \$300,000, Mayor, of the State funded Citizen's Option for Public Safety (COPS) for the Muni Transit Assistant Program (MTAP) for fiscal year 1997-98, providing for ratification of action previously taken. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-006.

[Hotel Tax Allocation, Cultural Center]

Ordinance amending Municipal Code, Part III, by amending Section 515.01 to change the special purpose allocations of hotel tax revenues from percentages to specific dollar amounts, to adjust each allocation annually by the rate of growth or loss in total hotel tax revenues (subject to a ten percent cap) and to change the source of funds for the cultural center allocation. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at a special meeting August 18, 1997.

File 127-97-006.01.

Referred to Board

[Proclaim International Hotel/Manilatown]

Resolution recognizing August 3, 1997 as International Hotel and Manilatown Day. Supervisors Yee, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 004-97-031.

[Commend Kearny Street Workshop]

Resolution commending Kearny Street Workshop and declaring September 12, 1997 as "Kearny Street Workshop Day". Supervisors Teng, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 006-97-135.

[Commend University of Parking Cultural Exchange]

Resolution commending the participants of the University of Parking Cultural Exchange Program. Supervisors Yaki, Teng, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 006-97-136.

[Breast Cancer/Prostate Cancer]

Resolution urging the Board of Supervisors write a letter in support of Senator Dianne Feinstein's legislation S. 1585 which creates a breast cancer research stamp and urging the Senate to consider similar legislation for the fight against prostate cancer. Supervisors Newsom, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 013-97-027.

[Caltrain/Muni Integration and Connectivity]

Resolution urging the Peninsula Corridor Joint Powers Board to investigate Caltrain/Muni Railway integration and connectivity. Supervisors Katz, Teng, Yaki, Yee, Medina, Bierman, Brown presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 085-97-004.

Referred to Committee

[Youth Jobs]

Resolution urging the Human Rights Commission to study City procurements and to develop and recommend to the Board of Supervisors, with feedback from the existing youth employment system, legislation that would establish a City Youth Employment Program giving City contractors an incentive to employ youths in the performance of City contracts. Supervisor Medina. Referred to Health, Family and Environment Committee.

File 108-97-004.

[Electronic Parking Meters]

Resolution requesting the Department of Parking and Traffic to convene a meeting with the Budget Analyst, the Controller and the Mayor's Budget Director for the purpose of developing a financial plan and implementation schedule to set in motion the installation of new electronic parking meters, with the intent of having a majority of the new meters installed within a 12 month period, and having all of the meters installed within a 24 month period; requesting proposed implementing legislation. Supervisor Ammiano presented. Referred to Finance Committee.

File 190-97-011.

Referred to Board

[Park Patrol]

Resolution recognizing the contribution and work of the Park Patrol Unit of the Recreation and Park Department and urging the Recreation and Park Department to consider implementing training and increasing the staffing of the Park Patrol. Supervisors Medina, Katz, Ammiano, Yee, Newsom presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 193-97-004.01.

[Earth Summit 1998]

Resolution urging the Department of the Environment and the Environmental Commission to work together to begin planning an Earth Summit in San Francisco during the week of April 22, 1998. Supervisor Newsom presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 229-97-003.

[General Plan Amendments, Northeastern Waterfront]  
Resolution approving amendments to the Northeastern Waterfront Plan of the San Francisco General Plan in connection with the proposed Rincon Point-South Beach Redevelopment Plan amendment to add additional territory which would permit the development of seventy-two additional housing units; companion measure to File 151-97-4. Supervisor Yaki presented. Referred to Board Committee of the Whole, August 11, 1997, 3:00 p.m.

File 271-97-007.

Requests for Hearings:

[Municipal Railway Accidents]  
Hearing to consider the Municipal Railway accidents. Supervisor Ammiano presented. Referred to Rules Committee.

File 007-97-012.

[Critical Mass Incidents]  
Hearing to consider the recent Critical Mass incidents and urging the Mayor to hold an alternative transportation summit, which should include an overall countywide transportation plan for the City and County of San Francisco. Supervisors Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 190-97-002.01.

[Piazzoni Murals Panel Report]  
Hearing to review the panel reports completed on the feasibility of removing the Piazzoni Murals to be scheduled on August 5, 1997. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee with request it be considered at the August 5, 1997 meeting.

File 197-97-001.01.

Motions:

Referred to Board

[Needle Exchange Emergency]  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board For Adoption Without Committee Reference Calendar August 4, 1997.

File 030-97-001.14.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-082. [Anderson Pacific Engineering v. CCSF] Ordinance authorizing settlement of litigation of Anderson Pacific Engineering Construction, Inc. against the City and County of San Francisco for \$218,475.97 in unpaid contract earnings, plus interest thereon at 6%. (Superior Court No. 949-549). (City Attorney) Referred to Rules Committee.

File 045-97-083. [Lampkin v. Smith and CCSF] Ordinance authorizing settlement of litigation in the matter of Joycelyn Lampkin v. Benjamin Smith, Beverly Smith and the City and County of San Francisco, by payment of \$45,000. (Superior Court No. 978-808). (City Attorney) Referred to Rules Committee.

File 046-97-009. [Settlement of Claim, NSF Design Subconsultant] Ordinance approving the settlement of the City's claims against Rolf Jensen & Associates (RJA), fire alarm system design subconsultant for the New Sheriff's Facility. (RJA will pay \$200,000 to the City). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 047-97-003. [Award of Management Agreement] Resolution confirming award of the Management Agreement for the operation of the St. Mary's Square Garage and the 16th & Hoff Garage, to Parking Concepts, Inc./Daja, Inc. (Real Estate Department) Referred to Finance Committee.

File 048-97-053. [Settlement of Claim, Hensel Phelps Construction Co] Resolution approving the settlement of the litigated claim of Hensel Phelps Construction Co. by payment of \$815,000. (City Attorney) Referred to Rules Committee.

File 049-97-002. [Settlement of Claim] Resolution approving the settlement of unlitigated claim by the Department of Health Services on behalf of the City and County of San Francisco against the Federal Health Care Financing Administration in the amount of \$1,672,598. (City Attorney) Referred to Rules Committee.

File 101-97-005. [Appropriations Limit, Fiscal Year 1997-98] Resolution establishing the appropriations limit for fiscal year 1997-98 pursuant to California Constitution Article XIII B. (Controller) Referred to Finance Committee.

File 146-97-014. [State Grant, Underground Storage Tanks Cleanup] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to accept and expend, an allocation of up to \$470,000 from the State Water Resources Control Board, Division Clean Water Program, for local oversight of cleanup activities at leaking underground storage tank sites funded by grant funds, and to authorize the Director of Health to execute the State Water Resources Control Board Contract (No. 7-012-550-0), and amendments thereto on behalf of the City and County, which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses, and damages accruing or resulting in connection with the City's performance of the contract; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 156-97-002. [PIC 1998 Refugee County Plan] Resolution approving the San Francisco Federal Fiscal Year 1998 Refugee County Plan and authorizing the Private Industry Council of San Francisco, Inc. (PIC) to apply for approximately \$1,264,705 and to accept and expend those funds in line with the Refugee County Plan. (Private Industry Council) Referred to Economic Development, Transportation and Technology Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to Director, Department of Parking and Traffic requesting he convene a meeting with the Budget Analyst, Controller and Mayor's Budget Director for the purpose of developing a financial plan and implementation schedule to set in motion the installation of new electronic parking meters, with the intent of having a majority of the new meters installed within a 12 month period and having all of the meters installed within a 24 month period; requesting proposed implementing legislation. File 190-97-11.

By Supervisor Brown, that letter be sent to Director, Department of Public Health, for status report on the San Francisco's AIDS Office's compliance with the National Task Force on AIDS Prevention

(NTAP) reports as follows: (1) San Francisco Department of Public Health AIDS office audit of 1997; (2) National Task Force on AIDS Prevention (NTAP) response dated June 17, 1997; (3) Update, dated July 17, 1997 and (4) Monitoring report of NTAP dated fiscal year 1995, 1996 and 1997.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Justice William Brennan (By the entire Board)  
Linda Wasik (By the entire Board)

File 2-97-30

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:23 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, July 28, 1997

Approved by the Board of Supervisors on October 14, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors



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4/97  
Monday, August 4, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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Volume 92

Number 31





JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 4, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Brown, Katz, Teng - 3.

Quorum present.

Supervisor Brown was noted present at 2:08 p.m.

Supervisor Katz was excused. (See infra.)

Supervisor Teng was noted present at 2:03 p.m.

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Leal, moved to excuse Supervisor Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Medina, Newsom, Leal, Yaki, Yee - 8.

Absent: Supervisors Brown, Katz, Teng - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, May 12 and May 19, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Katz - 2.

CONSENT CALENDAR

Recommendation of Finance Committee

Adopted

[Prop J Contract, Parking Management Services]

Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1997 than if work were performed by city employees at budgeted levels. (Airport)

File 25-97-12, Resolution No. 731-97

Adopted.

Finally Passed

[Amendment to MOU, Local 911]

Ordinance implementing the provisions of Amendment No. 2 to the Memorandum of Understanding between the Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County of San Francisco for Bargaining Units P-1; P-2A and P-2B to add Bargaining Units 14B and 15B to the terms of Memorandum of Understanding effective July 1, 1997 through June 30, 2001; providing for retroactively. (Department of Human Resources)

File 93-96-30.1, Ordinance No. 310-97

Finally passed.

[Court Compensation, FY 1997-98]

Ordinance setting schedules of compensation and other economic benefits for fiscal year 1997-1998 for certain classifications of persons employed by the Municipal and Superior Courts for the City and County. (Municipal Court)

File 106-97-2, Ordinance No. 326-97

Finally passed.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[West Portal Neighborhood Commercial District]

Ordinance amending Planning Code, to add "Specific Provisions" to the end of the West Portal Neighborhood Commercial District (NCD) control table that would add a condition to the "Business and Professional Service" use limiting to seven (7) the total number of "Financial Institutions" together with stock broker offices in the "Business and Professional Service" category on the ground floor in the West Portal NCD, and by placing a pound sign (#) under the column for the 1st floor to direct the reader to this condition and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

File 115-97-6, Ordinance No. 327-97

(Amend Sections 729, 729.53.)

(Planning Resolution No. 14334 adopted March 20, 1997, recommending the proposed amendment.)

(General Rule Exclusion dated March 4, 1997.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Corrine and Clint Moore v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Corrine Johnson-Moore and Clint Moore against the City and County by payment of \$5,500. (City Attorney)

File 45-97-65, Ordinance No. 311-97

(Municipal Court No. 129-660.)

Finally passed.

[Devera Petak v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Devera Petak against the City and County by payment of \$82,500. (City Attorney)

File 45-97-66, Ordinance No. 312-97

(Superior Court No. 968-045.)

Finally passed.

[Abraham Ramos v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Abraham Ramos against the City and County by payment of \$10,000. (City Attorney)

File 45-97-67, Ordinance No. 313-97

(Superior Court No. 974-763.)

Finally passed.

[Evelyn Sell v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Evelyn Sell against the City and County by payment of \$33,000. (City Attorney)

File 45-97-68, Ordinance No. 314-97

(Superior Court No. 970-888.)

Finally passed.

[Candida Roiz v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Candida Roiz against the City and County by payment of \$145,000. (City Attorney)

File 45-97-69, Ordinance No. 315-97

(Superior Court No. 973-830.)

Finally passed.

[John M. Montin v. CCSF, et al.]

Ordinance authorizing settlement of litigation of John M. Montin against the City and County by payment of \$21,250. (City Attorney)

File 45-97-70, Ordinance No. 316-97

(Superior Court No. 978-203.)

Finally passed.

[Matthew F. Burke v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Matthew F. Burke against the City and County by payment of \$30,000. (City Attorney)

File 45-97-71, Ordinance No. 317-97

(Superior Court No. 979-618.)

Finally passed.

[Juanita Sandoval v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Juanita Sandoval against the City and County by payment of \$11,500. (City Attorney)

File 45-97-72, Ordinance No. 318-97

(Superior Court No. 979-924.)

Finally passed.

[Jeane F. Ashton v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Jeane Ashton against the City and County by payment of \$15,000. (City Attorney)

File 45-97-73, Ordinance No. 319-97

(Superior Court No. 965-143.)

Finally passed.

[Norman Doolittle v. CCSF, et al.]

Ordinance authorizing partial settlement of litigation of Norman Patrick Doolittle against the City and County by payment of \$11,000, for the property damage claim and not the personal injury claims which are still pending. (City Attorney)

File 45-97-74, Ordinance No. 320-97

(Superior Court No. 978-634.)

Finally passed.

[Stacy Hill v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Stacy Hill against the City and County by payment of \$55,000. (City Attorney)

File 45-97-75, Ordinance No. 321-97

(Superior Court No. 974-401.)

Finally passed.

[Joy Taylor v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Joy C. Taylor against the City and County by payment of \$35,000. (City Attorney)

File 45-97-76, Ordinance No. 322-97

(Superior Court No. 960-156.)

Finally passed.

[Leo Graf, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Leo F. Graf against the City and County by payment of \$195,000 to Leo F. Graf, and \$55,000 to the San Francisco Newspaper Agency. (City Attorney)

File 45-97-77, Ordinance No. 323-97

(Superior Court No. 972-731.)

Finally passed.

[Lombardo v. Weatherman and CCSF]

Ordinance authorizing settlement of the litigation entitled Lorraine Lombardo v. Joseph Weatherman and the City and County by payment of \$35,000 to Lorraine Lombardo and \$35,000 to Lorraine Lombardo's attorney as attorney's fees and costs. (City Attorney)

File 45-97-78, Ordinance No. 324-97

(United States District Court No. C94-2965.)

(United States Court of Appeals No. 97-15049.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Katz - 2.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendation of Finance Committee

Finally Passed

(Supervisors Kaufman and Newsom are excused from voting.)  
See Journal of Proceedings of July 28, 1997.

[Appropriation, Port Commission/FY 1997-98]

Ordinance appropriating \$4,450,000, Port Commission, Harbor Operating Fund Loan Revenue to purchase property for the Caltrans Site Acquisition Project for fiscal year 1997-98. (Mayor)

File 101-97-4, Ordinance No. 325-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Leal, Medina, Teng, Yaki, Yee - 7.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisors Brown, Katz - 2.

The President resumed the Chair.

#### NEW BUSINESS

##### Recommendations of Finance Committee

Passed for Second Reading

[Business Tax Registration Regulations]

Ordinance amending Part III, Municipal Code, to provide that no person shall file a fictitious business name with the County Clerk without having first presented a tax registration certificate. (County Clerk)

File 127-97-7, Ordinance No.

(Amends Section 1007.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Katz - 2.

Consideration Continued

[Disaster Relief Funds]

Resolution authorizing the Director of the Mayor's Office of Emergency Services or his designee, the Controller and the Chief Assistant Controller to execute and file, on behalf of the City and County of San Francisco, certain documents relating to federal and state financial assistance under the Federal Disaster Relief Act, or federal assistance otherwise available from the President's Disaster Relief Fund and the State of California Natural Disaster Assistance Act program pertaining to the October 17, 1989 Loma Prieta Earthquake, and rescinding Resolutions 842-90 and 311-92. (Mayor's Office of Emergency Services)

File 270-97-3, Resolution No.

Supervisor Leal, seconded by Supervisor Medina, moved to continue consideration to September 15, 1997.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Brown, Katz - 2.

##### Conference with City Attorney - Litigation

Tabled

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation as follows: Carpenter v. City and County of San Francisco, Case No. C-90-1836 MMC as permitted by Government Code Section 54956.9(a).

Supervisor Leal, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Rules Committee

Adopted

[Sale of Portion of Mt. Davidson Park]

Resolution confirming sale of approximately .38 acres at the top of Mt. Davidson Park. (Supervisor Teng)

File 96-97-4, Resolution No. 722-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Supervisor Teng requested to be noted as sponsor.

[Ballot Measure, Park Land Sale]

Motion ordering submission to the voters of an ordinance approving the sale of approximately .38 acres at the top of Mt. Davidson Park including the land upon which the Mt. Davidson cross stands. The land is sold subject to the restriction that it remain open space available for public use. The ordinance also appropriates the money realized from the sale for the purchase of park property and ratifies the procedures used to notice, conduct, authorize and approve the sale. (Supervisor Teng)

File 60-97-6

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Health, Family and Environment Committee

Adopted

[Right to Know - Toxic Substances]

Resolution supporting strengthening the Federal Community Right to Know Act. (Supervisors Katz, Bierman)

File 13-97-5, Resolution No. 726-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Spent Nuclear Fuel Shipment]

Resolution reaffirming that the Board of Supervisors encourages the Department of Energy and President Bill Clinton to reject the transport of spent nuclear fuel through San Francisco Bay for use at the Concord Naval Weapons Station. (Supervisor Bierman)

File 13-97-9, Resolution No. 727-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Increase Average Fuel Economy Standards]

Resolution supporting significant increases in Corporate Average Fuel Economy (CAFE) standards. (Supervisors Katz, Bierman)

File 13-97-21, Resolution No. 728-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Substance Abuse Treatment on Demand]  
Resolution supporting the Department of Public Health "Substance Abuse Treatment On Demand: First Steps Plan" to guide the augmentation of alcohol and drug services in fiscal year 1997-98. (Supervisors Leal, Katz, Bierman, Yee)

File 30-97-10, Resolution No. 732-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Household Hazardous Waste Collection Program]  
Resolution approving a hold harmless provision for the Household Waste Collection Program Agreement between Sanitary Fill Company and the City Administrator's Office. (City Administrator/Hazardous Waste Management Program)

File 172-97-40, Resolution No. 735-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to recommendation of the Public Transportation Commission for partial abandonment and discontinuance of certain services on Municipal Railway Line to relieve the traffic congestions that has delayed Muni buses since the removal of the Embarcadero Freeway and the Main/Beale on-off ramps by rerouting lines 12-Folsom, 42-Downtown Loop; 15-Third and 30X-Marina Express.

File 7-97-11

(12-Folsom; 42-Downtown, Loop southbound on Battery Street between Washington and Bush Streets; 15-Third, southbound on Montgomery between Clay and Bush, eastbound on Bush between Montgomery and Sansome and southbound on First between Market and Howard; 30X-Marina-Express, southbound on Montgomery between Clay and Bush.)

After a brief presentation from the Department, the privilege of the floor was granted to the following persons:

Speaking in support: Norman Rolfe, Ana Geary, Reggie McRay, Ray Antonio.

Adopted

[Partial Discontinuance of Service, MUNI Routes]

Resolution approving the proposed discontinuance of service on the 12-Folsom, 15-Third, 30X-Marina Express and 42-Downtown Loop southbound on Battery and replacement southbound on Sansome and the proposed discontinuance of the 15-Third southbound on First Street and replacement westbound on Market and southbound on Second Street; companion measure to File 7-97-11.1. (Public Transportation Commission)

File 7-97-11, Resolution No. 725-97

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Katz, Teng - 2.

Tabled

[Partial Discontinuance of Service, MUNI Routes]

Resolution disapproving the proposed discontinuance of service on the 12-Folsom, 15-Third, 30X-Marina Express and 42-Downtown Loop southbound on Battery and replacement southbound on Sansome and the proposed discontinuance of the 15-Third southbound on First Street and replacement westbound on Market and southbound on Second Street; companion measure to File 7-97-11. (Public Transportation Commission)

File 7-97-11.1, Resolution No.

Supervisor Yaki, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Katz, Teng - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to the report for delinquent charges for code enforcement cases with delinquent assessment of costs, emergency order fees, reinspection fees, and penalties for failure to file the annual unit usage report and or fees pursuant to the provisions of Sections 102.1, 102.2, 102.3, 102.14, 102.15, 102.16, 102.17, 102.18 et seq., 108.8 and Section 110 Tables I-G, and I-K, of the Building Code, and Sections 41.10 and 41.20 of Chapter 41 of the Administrative Code submitted by the Director of the Department of Building Inspection for services rendered by said department the costs thereof having accrued pursuant to the code violations referenced above.

File 41-97-1

Frank Y. Chiu, Director, Department of Building Inspection, gave a brief presentation.

The privilege of the floor was granted to the following persons:

Phillip Anselmo, 926 Grove Street;  
Milton Van Noland, 60 Bessie Street;  
Representative, Inverness Partners LP, 1405 Van Ness Avenue;  
Henry Christopherson, 354 Jules Avenue;  
Eugene Summers, 1206 Fulton Street.

There being no one else present wishing to address the Board, the President closed the public hearing.

Adopted

[Special Assessment Liens, Building Inspection]

Resolution confirming report of delinquent charges for code enforcement cases with delinquent assessment of costs, emergency order fees, reinspection fees, and penalties for failure to file the annual unit usage report and or fees pursuant to the provisions of Sections 102.1, 102.2, 102.3, 102.14, 102.15, 102.16, 102.17, 102.18 et seq., 108.8 and Section 110 Tables I-G, and I-K, of the Building Code, and Sections 41.10 and 41.20 of Chapter 41 of the Administrative Code submitted by the Director of the Department of Building Inspection for services rendered by said department the costs thereof having accrued pursuant to the code violations referenced above. (Department of Building Inspection)

File 41-97-1, Resolution No. 733-97

The department representative submitted a list of updates and revisions to the report dated July 31, 1997.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisor Yee - 1.

Absent: Supervisor Katz - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

James Pye, human rights issue;  
Leboriae P. Smoore, police brutality, elimination of the constitution for poor people;  
Mike Rothenberg, Caltrain;  
Philip A. Cline, employee relations issue.



There being no one else wishing to speak, the President declared the public comment portion of the hearing closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Breast Cancer/Prostate Cancer]  
Resolution ((urging the Board of Supervisors write a letter in support of)) supporting Senator Dianne Feinstein's legislation S. 1585 which creates a breast cancer research stamp and urging the ((Senate)) Congress to consider similar legislation for the fight against prostate cancer. (Supervisors Newsom, Bierman, Katz, Leal, Medina)

File 13-97-27, Resolution No. 730-97

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Supervisor Newsom, seconded by Supervisor Teng, moved an amendment of the whole entitled, "Resolution supporting Senator Dianne Feinstein's legislation S. 1585 which creates a breast cancer research stamp and urging the Congress to consider similar legislation for the fight against prostate cancer."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Katz, Leal, Medina, requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim International Hotel/Manilatown]  
Resolution recognizing August 3, 1997 as International Hotel and Manilatown Day. (Supervisors Yee, Bierman, Katz, Leal, Medina)

File 4-97-31, Resolution No. 738-97

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Medina, requested to be added as co-sponsors.

[Commend Kearny Street Workshop]  
Resolution commending Kearny Street Workshop and declaring September 12, 1997 as "Kearny Street Workshop Day". (Supervisors Teng, Bierman, Katz, Leal, Medina)

File 6-97-135, Resolution No. 723-97

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Medina, requested to be added as co-sponsors.

[Commend University of Peking Cultural Exchange]  
Resolution commending the participants of the University of Peking Cultural Exchange Program. (Supervisors Yaki, Teng, Bierman, Katz, Leal, Medina)

File 6-97-136, Resolution No. 724-97

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Medina, requested to be added as co-sponsors.

[Caltrain/Muni Integration and Connectivity]  
Resolution urging the Peninsula Corridor Joint Powers Board to investigate Caltrain/Muni Railway integration and connectivity. (Supervisors Katz, Teng, Yaki, Yee, Medina, Bierman, Brown, Leal, Medina)

File 85-97-4, Resolution No. 734-97

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Medina, requested to be added as co-sponsors.

[Park Patrol]  
Resolution recognizing the contribution and work of the Park Patrol Unit of the Recreation and Park Department and urging the Recreation and Park Department to consider implementing training and increasing the staffing of the Park Patrol. (Supervisors Medina, Katz, Ammiano, Yee, Newsom, Bierman, Leal)

File 193-97-4.1, Resolution No. 736-97

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Earth Summit 1998]  
Motion urging the Department of the Environment and the Environmental Commission to work together to begin planning an Earth Summit in San Francisco during the week of April 22, 1998. (Supervisors Newsom, Bierman, Katz, Brown, Leal, Medina)

File 229-97-3, Resolution No. 737-97

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Brown, Leal, Medina requested to be added as co-sponsors.

[Needle Exchange Emergency]  
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.14

(July 28, 1997 - Introduced in Board for consideration on August 4, 1997.)

Adopted.

[Final Map, 340-6th Street]  
Motion approving final map of 340-6th Street, a Live/Work Condominium Project, being a subdivision of Lot 6 in Assessor's Block 3754, and adopting findings pursuant to Planning Code Section 101.1.

(Department of Public Works)

File 58-97-17

(July 28, 1997 - Referred to Board for consideration on August 4, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Debt Service Savings, Refunding Bonds]

Ordinance amending Administrative Code by adding Chapter 78, Sections 78.1 through 78.5, to provide for the debt service savings test for issuance of certain refunding bonds without voter approval. Supervisor Leal presented. Referred to Finance Committee with request it be considered at the August 13, 1997 meeting.

File 097-97-041.

[Grants - Application, Accept/Expend Procedures]

Ordinance amending Administrative Code by amending Sections 10.170 through 10.170-3, authorizing Department Heads to apply for Federal, State or other grants and changing procedures for the acceptance and expenditure of grants. Supervisors Kaufman, Medina presented. Referred to Finance Committee.

File 097-97-042.

[Settlement Authority - Claims/Litigation]

Ordinance amending Administrative Code by amending Sections 10.20-9, 10.21, 10.22, 10.22-2, and 10.24 by increasing the allowance of settlement from \$5,000 to \$25,000 of unlitigated claims, litigation, and claims in favor of the City and County. Supervisors Kaufman, Medina presented. Referred to Finance Committee.

File 097-97-043.

[Employee Claims - Payment Approval]

Ordinance amending Administrative Code by amending Section 10.25-8 to require claims for damaged articles by employees of the City and County that are in excess of \$1,000 to be approved by the Board of Supervisors and by repealing Section 10.25-9. Supervisors Kaufman, Medina presented. Referred to Finance Committee.

File 097-97-044.

[State Disability Insurance]

Ordinance amending Administrative Code by adding Section 16.9-31 authorizing the Human Resources Director to enroll qualifying employee classifications into the State Disability Insurance program without further approval of the Board of Supervisors. Supervisors Kaufman, Medina presented. Referred to Finance Committee.

File 097-97-045.

[Emergency Vehicle Use, Citizen Complaints Office]

Ordinance amending Administrative Code Section 4.11 to allow employees of the Office of Citizen Complaints to use emergency vehicles owned by the City and County for transportation to and from their place of residence. Supervisor Ammiano presented. Referred to Rules Committee.

File 097-97-046.

[Skating Advisory Committee]

Ordinance amending Administrative Code by adding Sections 5.210 through 5.212 to establish a Skating Advisory Committee, with 11 voting members appointed by the Board of Supervisors, responsible for developing a plan for skating-related improvements, reviewing policies and programs related to skating in the transportation element of the General Plan of the City and developing a plan for public outreach. Supervisors Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 097-97-047.

[Emergency Response Fee Increase]

Ordinance amending Article 10A, Part III of the San Francisco Municipal Code by amending Sections 751, 752, 753, 755, 756, to increase the amount of the fee, effective December 1, 1997, and to eliminate the estimate of project costs, and adding Section 752.1 to make additional findings and deleting Section 758 which provided for payment of conversion costs to service suppliers required to collect the emergency response fee. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 127-97-001.01.

[Alcohol Consumption]

Ordinance amending Police Code Section 21 to exempt from prohibition the consumption of alcohol at prescribed areas and times for which permission has been granted by the Department of Public Works pursuant to Article 5.2 of the Public Works Code (public sidewalk). Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 121-97-006.

[Taxation, Domestic Partner Owned Business]

Ordinance amending Municipal Code, Part III, by adding Section 1002.85 to provide that whenever a spousal unit is treated as a single person, a domestic partnership shall likewise be treated as a single person. Supervisors Leal, Ammiano, Newsom, Bierman, Kaufman, Teng, Brown, Medina presented. Referred to Finance Committee.

File 127-97-008.

Referred to Board

[Proclaim Christ Rodekuhr Day]

Resolution declaring August 15, 1997 as "Christ Rodekuhr Day" in San Francisco. Supervisor Teng presented. Referred to Board For Adoption Without Committee Reference Calendar August 11, 1997.

File 004-97-032.

[Commend Women Who Make A Difference Recipients]

Resolution commending the recipients of the Fifth Annual "Women Who Make A Difference" Awards and the Commission on the Status of Women for its ongoing efforts to acknowledge those women and businesses who have made a difference in women's lives. Supervisors Kaufman, Teng presented. Referred to Board For Adoption Without Committee Reference Calendar August 11, 1997.

File 006-97-137.

[Commend Welfare to Work Partnership]

Resolution commending the Welfare to Work Partnership and the businesses and non-profits in San Francisco that are participating in the national effort to move people from welfare to work. Supervisors Newsom, Teng, Bierman, Kaufman presented. Referred to Board For Adoption Without Committee Reference Calendar August 11, 1997.

File 006-97-138.

[Commend Germaine Wong]

Resolution commending Ms. Germaine Wong for her work, dedication and exceptional performance in making San Francisco a voter-friendly city. Supervisors Teng, Kaufman, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 11, 1997.

File 006-97-139.

Referred to Committee

[Permit, University of San Francisco]

Resolution granting revocable permission to University of San Francisco, Lone Mountain Campus to reconfigure and improve the south side of Anza Street from Wood Street to Parker Avenue, and adopting

findings pursuant to Planning Code Section 101.1. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 010-97-009.

Referred to Board

[State Legislation, AB 1100, Health Insurance]  
Resolution supporting State Assembly Bill 1100 requiring health insurance providers to provide health plans that cover all biologically based severe mental illnesses and emotional disturbances of children the same as provided for physical illness. Supervisor Teng presented. Referred to Board For Adoption Without Committee Reference Calendar August 11, 1997.

File 012-97-026.

Referred to Committee

[Redevelopment Agency Budget and Bonds]  
Resolution approving an amendment to the budget of the Redevelopment Agency for fiscal year 1997-98, increasing by \$15,000,000 the Agency's expenditure for the Rincon Point-South Beach Redevelopment Project Area and approving the issuance of not to exceed \$17,500,000 of tax allocation bonds in connection with the China Basin Ballpark Project. Supervisor Yaki presented. Referred to Finance Committee.

File 161-97-007.01.

[E-911 Project Agreement]  
Substitute resolution approving the project agreement between the Department of Telecommunications and Information Services and TRW, Inc., for the E-911 enhanced Computer Aided Dispatch and Automated Information System. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 172-97-024.

[Owner Indemnity, 690 Chestnut Street]  
Resolution authorizing the Director of the Mayor's Office of Housing to enter into an agreement with Villa North Beach-II, LLC ("Owner") to indemnify owner with respect to the sales of four inclusionary affordable housing units in owner's development located at 690 Chestnut Street. Supervisor Brown presented. Referred to Finance Committee.

File 172-97-054.

Referred to Board

[Welfare to Work Five Step Plan]  
Resolution adopting a comprehensive five-step San Francisco County Welfare-to-Work Plan which consists of: 1) Economic and Labor Force Forecasts, 2) Extensive Job Creation Plan, 3) Job Training Program, 4) Guaranteed Child Care and 5) Enforcement of Child Support. Supervisors Teng, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 11, 1997.

File 232-97-005.

#### Requests for Hearings

[Ballot Argument, Water System Reliability/Seismic]  
Hearing to consider submitting ballot argument in favor of proposition relating to revenue bonds in an amount not to exceed \$157,000,000 for water system reliability and seismic safety improvements. Supervisor Yaki presented. Referred to Finance Committee.

File 060-97-004.01.

[Ballot Argument, Safe Drinking Water Bonds]  
Hearing to consider submitting ballot argument in favor of proposition relating to revenue bonds in an amount not to exceed \$147,000,000 for safe drinking water improvements. Supervisor Yaki presented. Referred to Finance Committee.

File 060-97-005.01.

[Ballot Argument, Mt. Davidson Land Sale]  
Hearing to consider submitting ballot argument in favor of proposition to approve the sale of .38 acres at the top of Mt. Davidson Park. Supervisors Brown, Teng presented. Referred to Rules Committee.

File 060-97-006.01.

[Ballot Arguments]

Hearing to consider submitting ballot arguments on ballot measures which may be submitted to the Director of Elections on August 4, 5 or 6, 1997. Clerk of the Board. Referred to Rules Committee.

File 060-97-010.

[Ballot Argument, Central Freeway]

Hearing to consider submitting a ballot argument concerning the Central Freeway Initiative Ordinance. Clerk of the Board. Referred to Rules Committee.

File 060-97-011.

[Ballot Argument, Youth Commission]

Hearing to consider submitting ballot argument in favor of proposition concerning Charter amendment relating to the Youth Commission. Supervisor Newsom presented. Referred to Rules Committee.

File 255-97-002.

[Ballot Argument]

Hearing to consider submitting ballot argument in favor of proposition concerning Charter amendment relating to Board of Supervisors' approval of sale or lease of real property. Supervisor Kaufman presented. Referred to Rules Committee.

File 256-97-002.

[Ballot Argument, Safety Employees Retirement]

Hearing to consider submitting ballot argument in favor of proposition concerning Charter amendment relating to safety employees retirement (police/fire buy back agreement). Supervisor Katz presented. Referred to Rules Committee.

File 257-97-002.

[Supplemental Appropriation, E-911 Project]

Hearing to consider proposed supplemental appropriation request for \$7,529,000 that would appropriate additional non-General Fund revenue to the E-911 project. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-008.

[Annual Salary Ordinance Amendment]

Hearing to consider amending the fiscal year 1997-98 Annual Salary Ordinance to provide staff for the E-911 project. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 102-97-004.

[Massage Parlors]

Hearing to consider the impact of the abundance of massage parlors in the Tenderloin District. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 189-97-003.

[Golden Gate Park]

Hearing to consider issues affecting Golden Gate Park. Supervisor Amiano presented. Referred to Housing and Neighborhood Services Committee.

File 193-97-008.

[Employment, Welfare Recipients]

Hearing on the efforts being made by the Chamber of Commerce, The Small Business Network and Non-profit agencies to hire people in San Francisco that are currently on welfare. Supervisors Newsom, Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 232-97-006.

[Welfare Reform Implementation]

Hearing to consider report on a) the State's Welfare to Work Plan and its option for local flexibility; b) the demographics of the San Francisco welfare caseload; c) the major principles developed by the Mayor's Welfare Reform Task Force; and d) the steps already underway in Department of Human Services, the private business sector and the Workforce Development System. Supervisors Teng, Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 232-97-007.

Motions

Referred to Committee

[Rule on Subject Hearings]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 2.10 in order to increase the effectiveness of hearings to consider subject matter, when legislation is not available to the public. Supervisors Kaufman, Medina presented. Referred to Finance Committee.

File 056-97-004.

[Rule on Skeletal Charter Amendments]

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 2.33.1 in order to increase the effectiveness of consideration of proposed Charter amendments to be submitted to the public. Supervisors Kaufman, Medina presented. Referred to Finance Committee.

File 056-97-005.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-084. [Amaral and Olmstead v. CCSF] Ordinance authorizing settlement of litigation of Amaral and Olmstead against the City and County of San Francisco by payment of \$59,036.83. (Alameda County Superior Court No. H 1931477). (City Attorney) Referred to Rules Committee.

File 045-97-086. [Teresa Tse v. CCSF, et al.] Ordinance authorizing settlement of litigation of Teresa Tse against the City and County of San Francisco by payment of \$17,500. (Superior Court No. 974-517). (City Attorney) Referred to Rules Committee.

File 045-97-087. [Radgia Tanago v. CCSF, et al.] Ordinance authorizing settlement of litigation of Radgia Tanago against the City and County of San Francisco by payment of \$37,500. (Superior Court No. 971-763) Referred to Rules Committee.

File 045-97-088. [Carolyn Reilly v. CCSF, et al.] Ordinance authorizing offer of compromise pursuant to CCP Section 998 in the litigation of Carolyn Reilly v. City and County of San Francisco and Emilio Cruz, in the amount of Forty Thousand Dollars (\$40,000), to be paid as wages. (United States District Court No. C96-3995 WHO). (City Attorney) Referred to Rules Committee.

File 046-97-010. [Settlement of Lawsuits] Ordinance authorizing settlement of litigation of F. W. Spencer & Son, Inc. against the City and County of San Francisco for receipt of \$675,000.00. (Superior Court No. 970-323 consolidated with Superior Court No. 976-322, Superior Court No. 985-305, U.S. District Court Case No. C96-1913 SAW, U.S. District Court Case No. C95-4242 TEH). (City Attorney) Referred to Rules Committee.

File 048-97-056. [Settlement of Claim] Ordinance authorizing settlement of the sexual discrimination claims filed by Kathryn How, Leslie Lundgren, Rochelle Campana, Sarah Blain and Sue-Syin Chou in an amount not to exceed One Hundred Six Thousand, One Hundred Thirty-Five Dollars and Forty-Eight Cents (\$106,135.48), less applicable taxes and withholdings. (City Attorney) Referred to Rules Committee.

File 074-97-001. [Tax Rate Setting, CCSF, FY 1997-98] Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1998. RO #97045. (Controller) Referred to Finance Committee.

File 074-97-002. [Tax Rate Setting, SFUSD, FY 1997-98] Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1998. RO #97046. (Controller) Referred to Finance Committee.

File 074-97-003. [Tax Rate Setting, SF Community College, FY 1997-98] Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1998. RO #97047. (Controller) Referred to Finance Committee.

File 097-97-040. [Hazardous Materials Abatement Contracts] Ordinance amending Administrative Code by adding Section 6.08 thereto, providing for the selection of contractors to perform hazardous materials abatement work on public works projects. (Department of Public Works) Referred to Finance Committee.



File 101-97-007. [Appropriation, Art Commission] Ordinance amending the Annual Appropriation Ordinance for fiscal year 1997-98, File Number 101-97-2, Ordinance Number 306-97, adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106. RO #97052. (Controller) Referred to Finance Committee.

File 170-97-002. [Equipment Lease Supplement No. 6] Substitute ordinance approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 6 between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to equipment to be used for City purposes, a related Certificate of Approval and a Continuing Disclosure Certificate; approving the issuance of Lease Revenue Bonds by said nonprofit corporation in an amount not to exceed Fourteen Million Dollars (\$14,000,000); providing for reimbursement to the City of certain City expenditures incurred prior to the issuance of Lease Revenue Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Mayor's Office of Finance and Legislative Affairs) Referred to Finance Committee.

Resolutions Referred to Committee

File 007-97-013. [Partial Abandonment of 38-Geary Service] Resolution approving partial abandonment of 38-Geary service on Saturdays to facilitate the implementation of 38L-Geary Limited service on Saturdays; companion measure to File 7-97-13.1. (Public Transportation Commission) Scheduled for public hearing before Board on August 18, 1997, at 3:00 p.m.

File 007-97-013.01. [Partial Abandonment of 38-Geary Service] Resolution disapproving partial abandonment of 38-Geary Service on Saturdays to facilitate the implementation of 38L-Geary Limited service on Saturdays; companion measure to File 7-97-13. (Public Transportation Commission) Scheduled for public hearing before Board on August 18, 1997, at 3:00 p.m.

File 014-97-001. [Garbage Liens] Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health/Bureau of Environmental Health Management) Scheduled for public hearing before Board on August 25, 1997, at 3:00 p.m.

File 041-97-002. [Reinspection Fee Liens] Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health/Bureau of Environmental Health Management) Scheduled for public hearing before Board on August 25, 1997, at 3:00 p.m.

File 045-97-085. [Waiver of Five-Year Deadline] Resolution authorizing the City Attorney to waive the five-year deadline within which to bring the case, TO, ET AL. V. CITY AND COUNTY OF SAN FRANCISCO, ET AL., to trial. (Superior Court No. 947-274). (City Attorney) Referred to Rules Committee.

File 048-97-054. [Settlement of Claim, Annie M. Goston] Resolution approving the settlement of the unlitigated claim of Annie M. Goston by payment of \$6,091.27. (City Attorney) Referred to Rules Committee.

File 048-97-055. [Settlement of Claim, Eliot Canick] Resolution approving the settlement of the unlitigated claim of Eliot Canick by payment of \$15,000. (City Attorney) Referred to Rules Committee.

File 048-97-057. [Settlement of Claim, Ruby L. Garner] Resolution approving the settlement of the unlitigated claim of Ruby L. Garner by payment of \$8,500.00. (City Attorney) Referred to Rules Committee.

File 048-97-058. [Settlement of Claim, Geico Insurance Company] Resolution approving the settlement of the unlitigated claim of Geico Insurance Company subrogee of Darwin Tejada by payment of \$8,281.83. (City Attorney) Referred to Rules Committee.

File 048-97-059. [Settlement of Claim, CSAA] Resolution approving the settlement of the unlitigated claim of California State Automobile Association as subrogee of Anita Head by payment of \$7,072.19. (City Attorney) Referred to Rules Committee.

File 048-97-060. [Settlement of Claim, BPBH Housing Corporation] Resolution approving the settlement of the unlitigated claim of BPBH Housing Corporation by payment of \$15,000. (City Attorney) Referred to Rules Committee.

File 064-97-008. [Lease of Property at 1540 Market Street] Resolution authorizing the lease of real property at 1540 Market Street, Suite 160 & 190, for the Department of the Environment. (Real Estate Department) Referred to Finance Committee.

File 064-97-009. [Lease of Property at 1390 Market Street] Resolution authorizing a lease at Fox Plaza, 1390 Market Street, for the City Attorney. (Real Estate Department) Referred to Finance Committee.



File 064-97-010. [Lease Amendment, 1650 Mission Street] Resolution authorizing an amendment to lease of real property at 1650 Mission Street for the Department of Human Services and the Department of Building Inspection. (Real Estate Department) Referred to Finance Committee.

File 064-97-011. [Lease of Property at 732 Brannan Street] Resolution authorizing a lease of real property at 732 Brannan Street, San Francisco, for the Office of the District Attorney. (Real Estate Department) Referred to Finance Committee.

File 064-97-012. [Lease Extension at 23rd & Illinois Streets] Resolution authorizing an extension of a lease of real property at 23rd & Illinois Streets (Pier 72) for the Public Transportation Commission. (Real Estate Department) Referred to Finance Committee.

File 065-97-011. [Golden Gate Park Stables Inc. Lease Amendment] Resolution approving a First Amendment to the lease between the City and County of San Francisco and the Golden Gate Park Stables, Inc. for the management and operation of the public stables in Golden Gate Park, which amendment clarifies the first paragraph of the lease; adds definitions of several terms; extends the time for lessee to exercise its option to create a carriage ride concession in Golden Gate Park, releases the City from its obligation to give lessee notice at the end of the option period, and gives commission authority to approve lessee's plan for the carriage ride concession, requires lessee to comply with the current version of the standards governing animal care; grants the Recreation and Park Commission authority to amend the exhibits to the lease, to approve any deviation from the specifications or schedules contained in the exhibits to the lease, and to give any consent or approval required by lessor or exercise any election or option exercisable by lessor; simplifies and clarifies the procedures and requirements for rate and fee increases for goods and services offered by lessee; clarifies ambiguous language; and adds new provisions required under City ordinance. (Also see File 65-95-6). (Recreation and Park Department) Referred to Finance Committee.

File 082-97-002. [Grant of Easement, 750 Phelps Street] Resolution authorizing the grant of an underground electric utility easement to Pacific Gas and Electric Company over City-owned property at 750 Phelps Street in San Francisco. (Real Estate Department) Referred to Housing and Neighborhood Services Committee.

File 084-97-004. [Acquisition by Eminent Domain, 23rd and Treat] Resolution authorizing acquisition of Lot Nos. 5 and 5A in Assessor's Block 3639 (23rd and Treat Streets) by eminent domain for the Open Space Program, and to adopt findings pursuant to City's General Plan and Planning Code Section 101.1; companion measure to Files 271-97-8, 84-97-5, 168-97-2. (Exempt Status: General Rule Exclusion dated June 12, 1997). (Real Estate Department) Referred to Finance Committee.

File 084-97-005. [Property Acquisition, Tenderloin District] Resolution approving and authorizing an agreement for purchase and sale of real property in the Tenderloin District generally described as 201 Hyde Street (Lot 3 in Assessor's Block 336), for open space purposes and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 271-97-8, 84-97-4, 168-97-2. (Exempt Status: General Rule Exclusion dated June 12, 1997). (Real Estate Department) Referred to Finance Committee.

File 168-97-002. [Eminent Domain, Lots 5 and 5A, Block 3639] Motion directing the Board of Supervisors to hold a public hearing to consider adopting a resolution of necessity in connection with a proposal to acquire by eminent domain Lot Nos. 5 and 5A in Assessor's Block 3639 (23rd and Treat Streets) in San Francisco for the Open Space Program; companion measure to Files 271-97-8, 84-97-4, 84-97-5. (Real Estate Department) Referred to Finance Committee.

File 172-97-052. [Citywide Radio Communication System Master Agrmt] Resolution approving the form and authorizing the execution and approval of Citywide 800 MHz radio system project agreement ("Master Agreement") between the City and County of San Francisco and Motorola Communications and Electronics, Inc. (which Master Agreement includes certain limitations on the City's rights and remedies); authorizing an amendment to the 1992 Master Agreement dated as of February 5, 1992 between the City and contractor; granting general authority to City officials to take necessary actions in connection with the execution and approval of the Master Agreement; and ratifying actions previously taken. (Also see File 172-97-53). (Department of Telecommunications and Information Services) Referred to Finance Committee.

File 172-97-053. [Citywide 800 MHz Radio Project Agreements] Resolution authorizing the Director of Property to enter into separate license or lease agreements with each of AT&T Communications, Inc., the California State University, acting through the San Francisco State University, the City of Daly City, Motorola, Inc., and ZML-One Limited Partnership for the use of property for City's 800 MHz radio project and to enter into a license agreement with the United States of America, acting through the Department of Veterans Affairs, for the use of property for City's 800 MHz project, wherein the City would agree to resolve any contract dispute under the Federal Contract Dispute Act and to interpret the terms of the agreement under Federal law. (Also see File 172-97-52). (Categorically exempt from Environmental Review under Class Numbers 1, 2 and 3 of the State Environmental Review Guidelines). (Real Estate Department) Referred to Finance Committee.

File 271-97-008. [CEQA Findings and General Plan Amendments] Resolution approving amendments to the San Francisco General Plan in order to approve acquisition of Lot 3 in Assessor's Block No. 336 and Lots 5 and 5A in Assessor's Block No. 3639, by the City and County of San Francisco, to establish a new park in the Tenderloin/north of Market neighborhood and a new park in the Mission District (201 Hyde Street and 23rd and Treat Streets). The amendments were adopted by the City Planning Commission by Resolution No. 14427, and Resolution No. 14429 on July 24, 1997, incorporating by reference findings

pursuant to the California Environmental Quality Act as analyzed in the Certificate of Determination of Exemption/Exclusion from environmental review for the amendments to the Recreation and Open Space Element of the General Plan, Files No. 96.332EMR and 97.351EMR; companion measure to Files 84-97-4, 84-97-5, 168-97-2. (Planning Department) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that City Attorney review the City's Police, Public Works and other relevant codes relating to "A" Boards and working with those departments and the public, draft appropriate amendments.

By Supervisor Kaufman, that City Attorney review the City's Public Works and other relevant codes relating to the posting of signs on public property and working with that department and the public, draft appropriate amendments.

By Supervisor Kaufman, that City Attorney review the City's method for collecting sidewalk encroachment permit fees, as well as the permit process itself, and work with the Department of Public Works, the Tax Collector and the public to draft appropriate amendments to the Public Works and other relevant codes.

By Supervisor Kaufman, that City Attorney review the Planning Code and other relevant codes in order to streamline those codes and the permit process and making them easier for the public and City departments to use and understand.

By Supervisor Brown, that letter be sent to Chief of Police requesting an investigation into the behavior of the homeless persons who gather at various churches concerning unsafe conditions to the public, especially young children, caused by needles and condoms left in and around the area surrounding the churches.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Father Alfred Boeddeker (Supervisor Medina)

File 2-97-31

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 14, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

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8/11/97  
Monday, August 11, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 11, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Bierman, Leal, Newsom - 3.

Quorum present.

Supervisor Bierman was noted present at 2:01 p.m.

Supervisor Leal excused. (See infra.)

Supervisor Newsom was noted present at 2:01 p.m.

Supervisor Leal Excused

The Clerk stated Supervisor Leal requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Teng, moved to excuse Supervisor Leal from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Brown, moved that the Journal of Proceedings for Monday, May 27, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Presentation of Guests

Supervisor Medina introduced and welcomed representatives from San Francisco State University wrestling team.

Suspension of the Rules  
Presentation Made

Supervisor Yaki, seconded by Supervisor Newsom, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Lars Jensen.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Lars Jensen, Head Coach, thanked the Board of Supervisors for the commendations for the San Francisco State University wrestling team members for outstanding athletic performances and winning three individual championships and securing the top six positions at the 1997 National Collegiate Athletic Division II Wrestling Championship as follows: Stephen Hilar, Lee Lofton, Greg Jackson, Francis Aquino, Damon Broadbent, Paul Healy and Carlos Sumulong.

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Business Tax Registration Regulations]

Ordinance amending Part III, Municipal Code, to provide that no person shall file a fictitious business name with the County Clerk without having first presented a tax registration certificate. (County Clerk)

File 127-97-7, Ordinance No. 328-97

(Amends Section 1007.3.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Residential Parking Area "S", Duboce Triangle]

Resolution revising the time limitations within Residential Permit Parking Area "S" in the Duboce Triangle Area (Laguna Street, between Haight and Oak Streets, both sides). (Department of Parking and Traffic)

File 40-97-10, Resolution No. 745-97

Adopted.

[Residential Parking Area "I", Bartlett Street]

Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply (Capp Street, between 18th and 19th Streets, both sides). (Department of Parking and Traffic)

File 40-97-12, Resolution No. 746-97

Adopted.

[Residential Parking Area "V", Balboa Park]

Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding to the list of streets upon which time limitations shall apply (Alemany Boulevard, between Mount Vernon Avenue and Ottawa Avenue). (Department of Parking and Traffic)

File 40-97-13, Resolution No. 747-97

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply (Linden Street, between Laguna and Octavia Streets, south side). (Department of Parking and Traffic)

File 40-97-14, Resolution No. 748-97

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply (Octavia Street, between Waller and Haight Streets, both sides; Rose Street, between Market and Gough Streets, north side). (Department of Parking and Traffic)

File 40-97-15, Resolution No. 749-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[MOU, Local 790 Bargaining Unit SC4]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County for Bargaining Unit SC4, to be effective for the period July 1, 1997 through June 30, 2000; providing for ratification of action previously taken. (Department of Human Resources)

File 93-97-47, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Patient Rates for DPH Services, FY 1997-98]

Ordinance amending Health Code, fixing patient rates for services furnished by City and County healthcare institutions; authorizing retroactively the effective date of July 1, 1997. (Department of Public Health)

File 118-97-3, Ordinance No.

(Amends Section 128.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Red Light Camera Enforcement Program]

Ordinance authorizing execution of contract between the Department of Parking and Traffic and a bidder it deems responsive to provide construction and professional services for the red light camera enforcement program; waiving competitive bidding requirements of Section 21.6 of the Administrative Code. (Supervisor Leal)

File 172-97-47, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Natural Gas Fueling Facility, Presidio]

Resolution authorizing the City to enter into an agreement with the National Park Service for the use of a compressed natural gas facility in the Presidio. (City Administrator)

File 172-97-41, Resolution No. 751-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Agreement, Sheriff - Interactive Systems]  
Resolution authorizing the Sheriff's Department retroactively to enter into an agreement with Interactive Systems, LLC for VINE, an automated victim notification service, which agreement provides for mutual indemnification from claims or other damages which arises as a result of performance under said agreement; contingent upon the contractor's compliance with the Equal Benefits Ordinance. (Sheriff)

File 172-97-51, Resolution No. 753-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Recommendations of Economic Development, Transportation  
and Technology Committee

Passed for Second Reading

[Bayshore-Hester Special Use District]  
Ordinance amending Planning Code to create the "Bayshore-Hester Special Use District"; to amend the "Neighborhood Commercial Shopping Center" use table and to include, within said "Bayshore-Hester Special Use District" only, a "Motel" within the definition of "Hotel, Tourist" pursuant to Section 101 of Planning Code and adopting findings pursuant to Section 101.1; companion measure to File 36-97-4. (Planning Department)

File 115-97-10, Ordinance No.

(Planning Commission Resolution No. 14375 adopted May 22, 1997, approving amendments to the text of Planning Code and to Zoning Map.)

(Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated April 1, 1997.)

(Adds Section 780.2; amends Sections 713, 713.55 and 790.46.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Zoning Map Amendment, Bayshore Blvd/Hester Avenue]  
Ordinance adopting changes in property use classification as amendment to the Zoning Map of property located at 2011 Bayshore Boulevard, with additional frontage on Hester Avenue, Lots 3, 10 and 11 in Assessor's Block 5054A, from an NC-S (Neighborhood Commercial Shopping Center District) to the Bayshore-Hester Special Use District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 115-97-10. (Planning Department)

File 36-97-4, Ordinance No.

(Planning Commission Resolution No. 14375 adopted May 22, 1997, approving amendments to the text of Planning Code and to Zoning Map.)

(Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated April 1, 1997.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Parking Restriction, Construction Activity]  
Ordinance amending Traffic Code, extending the date that regulation concerning vehicular or pedestrian traffic and parking prohibited or restricted in certain cases residential and neighborhood commercial areas shall be in effect to June 30, 1998. (Supervisor Yaki)

File 124-97-4, Ordinance No.

(Amends Section 33.1A.)

Passed for second reading by the following vote:



Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[PIC 1998 Refugee County Plan]

Resolution approving the San Francisco Federal Fiscal Year 1998 Refugee County Plan and authorizing the Private Industry Council, Inc. (PIC) to apply for approximately \$1,255,043 and to accept and expend those funds in line with the Refugee County Plan; placing \$1,255,043 on reserve. (Private Industry Council)

File 156-97-2, Resolution No. 750-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Paratransit Broker Contract Amendment]

Resolution approving amendment No. 5 to Paratransit Broker Agreement, to expand the ramped taxi program by leasing 30 ramped minivans to the paratransit broker to be subleased to taxicab companies participating in the Paratransit Program, with guaranteed lease payments in the form of paratransit trips provided at no cost to the City; to provide broker with a fee to administer the subleases; and to make other amendments updating the agreement. (Public Transportation Commission)

File 172-97-46, Resolution No. 752-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Liquor License, 2001 Market Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Gashaw Mussa Ayele and Abera Truowrk Walker, for the Ethiopian and American Grocery and Cafe located at 2001 Market Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services)

File 223-97-19, Resolution No. 754-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Liquor License, 244 California Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Jean Pierre Meslier for French Prestige Wines, Inc., located at 244 California Street, Suite 507, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services)

File 223-97-20, Resolution No. 755-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Liquor License Transfer, 1212 Market Street]

Resolution determining that the transfer of liquor licenses Type 9 - beer and wine importer, Type 17 - beer and wine wholesaler, and Type 20 - off-sale beer and wine for Rob McDonald of Old Bridge Cellars (OBC) from 1232 Market Street, to new premises located at 1212 Market Street, Suite 100, will serve the

convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services)

File 223-97-22, Resolution No. 756-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Negative Declaration, Community Safety Element]

Resolution adopting Final Negative Declaration, finding and determining that amending the General Plan by adopting the Community Safety Element will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 271-97-6. (Supervisors Teng, Medina)

File 271-96-6.1, Resolution No. 759-97

(Negative Declaration adopted and issued 4/22/96.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Community Safety Element of the General Plan]

Resolution approving amendments to the General Plan to incorporate the Community Safety Element as adopted by the Planning Commission File No. 96.697M; companion measure to File 271-97-6.1. (Supervisors Teng, Medina)

File 271-97-6, Resolution No. 758-97

(Planning Commission Resolution No. 14354 adopted 4/24/97.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

#### Recess

The Board, at the hour of 2:53 p.m., took a brief recess.

#### Reconvening of the Board

The Board, at the hour of 3:00 p.m., reconvened.

#### Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki - 8.

Noted absent:

Supervisors Katz, Leal, Yee - 3.

Quorum present.

Supervisor Katz was noted present at 3:05 p.m.

Supervisor Leal was excused. (See supra.)

Supervisor Yee was noted present at 3:07 p.m.

#### SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to the vacation of a portion of Treat Avenue west of Alabama Street and north of 15th Street and transferring jurisdiction from Department of Public Works to Department of Animal Care and Control.

File 164-97-2.1

(Pursuant to Board of Supervisors Resolution 669-97, approved July 18, 1997.)

The privilege of the floor was granted to the following persons:

Richard Schulke, Animal Control and Welfare Commission;  
Jane Gulocho.

There being no one else present wishing to speak, the President declared the public hearing closed.

From Economic Development, Transportation and Technology Committee  
Without Recommendation

Passed for Second Reading

[Street Vacation, Jurisdictional Transfer]

Ordinance ordering the vacation of a portion of Treat Avenue west of Alabama Street and north of 15th Street and transferring jurisdiction from Department of Public Works to Department of Animal Care and Control and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Yaki)

File 164-97-2.1, Ordinance No.

(March 14, 1997 - Planning Department indicated the proposed vacation is in conformity with the General Plan,)

(Categorically exempt from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to approving the amendment to the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area as follows: (1) Resolution approving amendments to the Northeastern Waterfront Plan of the San Francisco General Plan; (2) Ordinance approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically portions of Block 3766 (northwest corner of Beale and Bryant Streets immediately adjacent to the southern abutment of the Bay Bridge.)

Files 151-97-4, 271-97-7

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge the approval of the above items in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.)

The privilege of the floor was granted to the following person:

Niko, San Francisco Bicycle Coalition.

There being no one else present wishing to speak, the President declared the public hearing closed.

Committee of the Whole Rise and Report Without Recommendation

Adopted

[General Plan Amendments, Northeastern Waterfront]

Resolution approving amendments to the Northeastern Waterfront Plan of the San Francisco General Plan; companion measure to File 151-97-4. (Supervisor Yaki)

File 271-97-7, Resolution No. 760-97

(Planning Commission Resolution 14414 dated July 10, 1997, adopting amendments to the Northeastern Waterfront Plan.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Rincon Point-South Beach Redevelopment Plan]

Ordinance amending Ordinance 14-81, as amended by Ordinances 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically portions of Block 3766 (northwest corner of Beale and Bryant Streets immediately adjacent to the southern abutment of the Bay Bridge); companion measure to File 271-97-7. (Supervisor Yaki)

File 151-97-4, Ordinance No.

(Resolution 14415 dated July 10, 1997, finding amendments to the Rincon Point-South Beach Redevelopment Plan consistent with the General Plan (as proposed to be amended) and, on balance consistent with Planning Code Section 101.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

#### PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board. There being no response, the President declared the public comment portion of the meeting closed.

#### FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Proclaim Christ Rodekuhr Day]

Resolution declaring August 15, 1997 as "Christ Rodekuhr Day" in San Francisco. (Supervisors Teng, Yaki, Ammiano)

File 4-97-32, Resolution No. 739-97

(August 4, 1997 - Introduced in Board for consideration on August 11, 1997.)

Adopted.

In connection with the above item, Supervisors Yaki, Ammiano requested to be added as co-sponsors.

[Commend Women Who Make A Difference Recipients]

Resolution commending the recipients of the Fifth Annual "Women Who Make A Difference" Awards and the Commission on the Status of Women for its ongoing efforts to acknowledge those women and businesses who have made a difference in women's lives. (Supervisors Kaufman, Teng, Katz, Medina, Newsom, Yaki, Ammiano, Bierman, Brown)

File 6-97-137, Resolution No. 740-97

(August 4, 1997 - Introduced in Board for consideration on August 11, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Newsom, Yaki, Ammiano, Bierman, Brown requested to be added as co-sponsors.

[Commend Welfare to Work Partnership]

Resolution commending the Welfare to Work Partnership and the businesses and non-profits in San Francisco that are participating in the national effort to move people from welfare to work. (Supervisors Newsom, Teng, Bierman, Kaufman, Katz, Medina, Yaki, Ammiano, Brown)

File 6-97-138, Resolution No. 741-97

(August 4, 1997 - Introduced in Board for consideration on August 11, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Yaki, Ammiano, Brown requested to be added as co-sponsors.

[Commend Germaine Wong]

Resolution commending Ms. Germaine Wong for her work, dedication and exceptional performance in making San Francisco a voter-friendly city. (Supervisors Teng, Kaufman, Bierman, Katz, Medina, Yaki, Ammiano, Brown)

File 6-97-139, Resolution No. 742-97

(August 4, 1997 - Introduced in Board for consideration on August 11, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Yaki, Ammiano, Brown requested to be added as co-sponsors.

[State Legislation, AB 1100, Health Insurance]

Resolution supporting State Assembly Bill 1100 requiring health insurance providers to provide health plans that cover all biologically based severe mental illnesses and emotional disturbances of children the same as provided for physical illness. (Supervisors Teng, Katz, Yaki, Ammiano, Bierman, Brown)

File 12-97-26, Resolution No. 744-97

(August 4, 1997 - Introduced in Board for consideration on August 11, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Yaki, Ammiano, Bierman, Brown requested to be added as co-sponsors.

[Welfare to Work Five Step Plan]

Resolution adopting a comprehensive five-step San Francisco County Welfare-to-Work Plan which consists of: 1) Economic and Labor Force Forecasts, 2) Extensive Job Creation Plan, 3) Job Training Program, 4) Guaranteed Child Care and 5) Enforcement of Child Support. (Supervisors Teng, Bierman, Kaufman, Katz, Medina, Newsom, Yaki, Ammiano, Brown)

File 232-97-5, Resolution No. 757-97

(August 4, 1997 - Introduced in Board for consideration on August 11, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz, Medina, Newsom, Yaki, Ammiano, Brown requested to be added as co-sponsors.

[Commend APALA National Convention]

Resolution commending Asian Pacific American Labor Alliance (APALA) for its work in civil, worker, and immigrant rights and declaring August 8, 1997 as "APALA National Convention Day" in San Francisco. (Supervisors Teng, Katz, Medina, Yaki, Ammiano, Bierman, Brown)

File 6-97-140, Resolution No. 743-97

(August 5, 1997 - Referred to Board for consideration on August 11, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Yaki, Ammiano, Bierman, Brown requested to be added as co-sponsors.

[Final Map, 2444 Van Ness Avenue]

Motion approving final map of 2444 Van Ness Avenue, a Residential Commercial Condominium Project, being a subdivision of Lot 12 in Assessor's Block No. 547, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 58-97-18

(August 5, 1997 - Referred to Board for consideration on August 11, 1997.)

Adopted.

[Final Map, City Mews, 1-23 and 25 Scott Alley]

Motion approving final map of the City Mews, 1-23 and 25 Scott Alley, a Residential Condominium Project, being a subdivision of Lot 127 in Assessor's Block No. 3752, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-19

(July 31, 1997 - Referred to Board for consideration on August 11, 1997.)

Adopted.

[Amended Map, 468 7th Avenue]

Motion approving amended map of 468 7th Avenue, a Condominium Project, being a subdivision of Lots 40-44 in Assessor's Block No. 1538, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-20

(August 1, 1997 - Referred to Board for consideration on August 11, 1997.)

Adopted.

[Final Map, One Clarence Place]

Motion approving final map of One Clarence Place, a Live/Work Condominium Project, being a subdivision of Lot 108 in Assessor's Block No. 3788, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-21

(August 1, 1997 - Referred to Board for consideration on August 11, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Leal, Yee - 2.

#### OFF-CALENDAR LEGISLATION

#### ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment]

Substitute ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at Scott and Post Streets of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from an RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-scale Neighborhood Commercial) District to an RH-3 (Residential, House, Three Family) District and NC-3 (Moderate-scale Neighborhood Commercial) District and the Scott Street Senior Housing Special Use District; finding consistency with Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 036-97-001.

[Zoning Map Amendment]

Substitute ordinance adopting changes in property height and bulk classification as an amendment to the Zoning Map of the City and County of property located in the Scott Street Seniors Housing District in Assessor's parcel no. lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681 from 50-X to 65-A Districts to 50-X-70-J and 65-A-70-J; finding consistency with Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 036-97-002.

[Contract Waiver Authority, Chapters 12B, 12C]

Ordinance amending Administrative Code Sections 12B.5-1 and 12C.5-1 to authorize the Director of the Human Rights Commission to waive application of Chapters 12B and 12C where there are no qualified responsive bidders or potential contractors that comply with the requirements of those chapters, and for bulk purchasing contracts. Supervisors Katz, Ammiano presented. Referred to Health, Family and Environment Committee.

File 097-97-021.02.

[Information Technology Procurement]

Ordinance amending Administrative Code by adding Chapter 21B, Sections 21B.1 through 21B.13 governing specialized procurement procedures for the efficient, cost-effective and value-effective acquisition of information technology. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 097-97-048.

[Repeal Regulatory Fee, Temporary Relocation]

Ordinance amending Administrative Code by repealing portions of Chapter 72 that provided that the costs of short term relocation for families with lead poisoned children and associated administrative costs be paid for by the fees collected pursuant to Administrative Code Chapter 73; further amending Chapter 72 to provide that the Department of Public Health will directly pay for the costs of temporarily relocating families with lead poisoned children (amends Sections 72.1, 72.3 and 72.4). Referred to Finance Committee.

File 097-97-049.

[Repeal Fee, Lead Hazard Abatement Program]

Ordinance amending Administrative Code by repealing Chapter 73, Sections 73.1 through 73.9 to delete regulatory fee to cover reasonable costs incurred by the Department of Public Health in administering the childhood lead hazard abatement program and the costs of temporarily relocating families with lead poisoned children. Supervisor Kaufman presented. Referred to Finance Committee.

File 097-97-050.

[Repeal Fund, Lead Abatement]

Ordinance amending Administrative Code by repealing Section 10.117-116 to delete the Relocation Assistance and Lead Administration Fund into which regulatory fees to provide for the costs of relocation assistance and administration incurred in the remediation of lead hazards in residential units occupied by a lead poisoned child could be deposited. Supervisor Kaufman presented. Referred to Finance Committee.

File 097-97-051.

[Surplus Goods Donation]

Ordinance amending Administrative Code Section 6.01 to authorize the Director of Purchasing to dispose of surplus goods by donation for reuse or recycling. Supervisor Brown presented. Referred to Finance Committee.

File 097-97-052.

[Supplemental Appropriation, E-911 Project]

Ordinance appropriating \$7,529,000, Department of Telecommunications (911 Project), of public protection special revenue funds for the 911 Project and for the creation of seven (7) positions, for fiscal year 1997-98; placing \$4,500,000 on reserve. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-008.



[Appropriation, Department of Public Works]  
Ordinance appropriating \$1,889,726, Department of Public Works, (\$1,189,726 of 1988 Public Library Improvement Bond interest earnings and \$700,000 of 1990 Earthquake Safety Bond Fund interest earnings) for the renovation of the Mission Branch Library for fiscal year 1997-98. RO #97064. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-011.

[Appropriation, Recreation and Park Department]  
Ordinance appropriating \$25,105,000, Recreation and Park Department, of 1992 Golden Gate Park Infrastructure Bond Fund proceeds for the reconstruction of park water supply and other utilities and features at the Department of Recreation and Park for fiscal year 1997-98. RO #97068. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 101-97-013.

[Senior Housing Special Use District]  
Substitute ordinance amending Planning Code by adding Section 249.20 to create a Senior Housing Special Use District at Scott and Post Streets consisting of Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 of Assessor's Block 681; finding consistency with Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-004.

[Scott Street Senior Housing, Height and Bulk]  
Substitute ordinance amending Planning Code by adding Section 263.15 to create special height and bulk exceptions for the Scott Street Senior Housing Special Use District at Scott and Post Streets on Lots 15, 18, 19, 22, 29A, 29B, 38 and 40 in Assessor's Block 681; finding consistency with Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-005.

Referred to Board

[March on Washington 34th Anniversary]  
Resolution welcoming the National Rainbow Coalition's March to commemorate the 34th Anniversary of the March on Washington. Supervisors Teng, Brown, Medina, Katz, Bierman, Ammiano presented. Referred to Board For Adoption Without Committee Reference Calendar August 18, 1997.

File 006-97-141.

[Commendation]  
Resolution commending the Greater Geary Boulevard Merchants and Property Owners Association, Inc. on its annual luncheon. Supervisor Teng presented. Referred to Board For Adoption Without Committee Reference Calendar August 18, 1997.

File 006-97-142.

[Commend Japanese Cultural/Community Center]  
Resolution commending the Japanese Cultural and Community Center of Northern California for its outstanding contributions to the Japanese Community and the City of San Francisco and declaring August 15, 1997 as "JCCNC Day" in San Francisco. Supervisors Teng, Yaki presented. Referred to Board For Adoption Without Committee Reference Calendar August 18, 1997.

File 006-97-143.

Referred to Committee

[Seamless Partnership]  
Resolution designating the Department of Human Services to coordinate all components of the "Seamless Partnership" (the workforce development systems) for the City and County and urging all job training agencies to establish a work experience and/or internship component to their classroom training; and urging the business community to participate in this "Seamless Partnership" to create on-the-job and/or internship opportunities for the job trainees; and the "community career centers" should be based in the economically disadvantaged neighborhoods and include career exploration and job retention services. Supervisor Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 107-97-002.



Referred to Board

[Bad Check Enforcement Program]

Resolution authorizing the District Attorney to enter into an agreement with National Revenue Corporation to conduct a bad check enforcement program pursuant to State law, and declaring that sufficient funds are available to fund such a program. Supervisor Kaufman presented. Referred to Board For Adoption Without Committee Reference Calendar August 18, 1997.

File 172-97-056.

Referred to Committee

[Pretrial Diversion Project]

Resolution authorizing the Sheriff to supplement its existing contract with the San Francisco Pretrial Diversion Project in the amount remaining in the Jail Overcrowding Fine Account for the purpose of reducing jail population. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the August 20, 1997 meeting.

File 195-97-001.

[Sub-standard Dwellings, Owner Incarceration]

Resolution urging the Superior and Municipal Courts of the City and County to impose confinement (of property owner) in the subject property as a condition of probation upon conviction for maintaining a sub-standard building. Supervisors Newsom, Bierman, Ammiano, Brown presented. Referred to Housing and Neighborhood Services Committee.

File 198-97-003.

[Procurement Agreement, Housing Authority]

Resolution authorizing the Purchaser to enter into an agreement with the Housing Authority of the City and County to make available to the Housing Authority supplies and services at the prices and terms available to the Purchaser under contracts entered into by the City and County. Supervisor Brown presented. Referred to Finance Committee.

File 206-97-005.

Requests for Hearings:

[Underground Drinking Water, Gasoline Additives]

Hearing to consider the possible contamination of San Francisco's underground water table by such gasoline additives as MTBE, methyl tert, butyl ether. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 005-97-001.

[Bank In Lieu Tax Law]

Hearing to consider urging the State Legislature to modify the State Bank In Lieu Tax Law to mandate subvention of a portion of these tax receipts to local government. Supervisor Ammiano presented. Referred to Finance Committee.

File 012-97-027.

[In-Law Apartment Amnesty]

Hearing to consider problems and issues involved in enacting amnesty for existing or non-code affordable in-law dwelling units. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 115-97-012.

[Section 8 Housing]

Hearing to consider the housing crisis involving holders of Section 8 certificates or renting housing through the Section 8 Program. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 206-97-006.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board For Adoption Without Committee Reference Calendar August 18, 1997.

File 030-97-001.15.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-089. [Settlement of Union Grievance] Ordinance authorizing settlement of the grievance filed by SEIU, Local 790 on behalf of Torrance Scales regarding his termination from the Department of Public Works in the amount of Thirty Five Thousand One Hundred Eighty-Three Dollars (\$35,183), less applicable taxes and withholdings. (City Attorney) Referred to Rules Committee.

File 045-97-090. [Antonio Oropeza v. CCSF, et al.] Ordinance authorizing settlement of litigation of Antonio Oropeza against the City and County of San Francisco by payment of \$11,460.41. (Superior Court No. 971-626). (City Attorney) Referred to Rules Committee.

File 093-97-048. [Arbitrator's Award, Local 21] Ordinance implementing the provisions of an Arbitrator's Award dated May 17, 1997 resolving a grievance between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County of San Francisco and providing for the wages of employees assigned to work out of classification as Project Managers. (Department of Human Resources) Referred to Finance Committee.

File 101-97-009. [Appropriation, Board of Supervisors] Ordinance appropriating \$384,905, Board of Supervisors from the General Fund Reserve for salaries and fringe benefits for the creation of eleven (11) positions (8.0 full time equivalent) and the abolishment of one (1) position, for fiscal year 1997-98; companion measure to File 102-97-3. RO #97030. (Controller) Referred to Finance Committee.

File 101-97-010. [Appropriation, Dept of Business and Economic Dev.] Ordinance appropriating \$4,000,000, Department of Business and Economic Development, of Neighborhood Development Special Revenue Fund for salaries, fringe benefits, materials and supplies, other contractual services and services of other departments for fiscal year 1997-98. RO #97066. (Controller) Referred to Finance Committee.

File 102-97-003. [Salary Ordinance Amendment, Board of Supervisors] Substitute ordinance amending Annual Salary Ordinance 1997/98, Board of Supervisors, reflecting the creation of eleven positions (Class 1364 Special Assistant V) and the deletion of one position (Class 1361 Special Assistant II); companion measure to File 101-97-9. (Department of Human Resources). Referred to Finance Committee.

File 155-97-001. [Reward Authorization] Ordinance authorizing payment of reward to Doe One. (Mayor) Referred to Finance Committee.

Resolutions Referred to Committee

File 018-97-007. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1357. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 019-97-007. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1357. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 020-97-006. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1357. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 033-97-004. [Appointment, Redevelopment Agency] Resolution confirming Mayor's appointment of Ms. Neil Palma to serve as a member of the San Francisco Redevelopment Commission. (Mayor) Referred to Rules Committee.

File 033-97-005. [Appointment, Port Commission] Resolution confirming Mayor's appointment of Ms. Kimberly Brandon to serve as a member of the San Francisco Port Commission. (Mayor) Referred to Rules Committee.

File 084-97-005. [Property Acquisition, Tenderloin District] Substitute resolution approving and authorizing an agreement for purchase and sale of real property in the Tenderloin District generally described as 201 Hyde Street (Lot 3 in Assessor's Block 336), for open space purposes and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 271-97-8, 84-97-4, 168-97-2. (Real Estate Department) (Exempt Status: General Rule Exclusion dated June 12, 1997) Referred to Finance Committee.

File 129-97-001. [Assessment Appeals Board Rules] Resolution adopting additional Assessment Appeals Board procedural rules. (Assessment Appeals Board) Referred to Rules Committee.

File 129-97-002. [Reconsideration of Denied Application] Resolution adopting an Assessment Appeals Board procedure to reconsider an application denied for lack of appearance by the applicant. (Assessment Appeals Board) Referred to Rules Committee.

File 129-97-003. [Public Comment, Assessment Appeals Hearings] Resolution adopting an Assessment Appeals Board procedure to allow public comment in its hearings. (Assessment Appeals Board) Referred to Rules Committee.

File 146-97-015. [Grant, California Healthcare for Indigents Program] Resolution authorizing the Department of Public Health to apply for, accept, and expend, retroactively, a grant allocation of up to \$9,179,584 for fiscal year 1997-98 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$64,559, based on 14.5% of administrative and fiscal intermediary costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 271-97-009. [Negative Declaration, Air Quality Element] Resolution adopting Final Negative Declaration, finding and determining that amending the General Plan by adopting the Air Quality Element will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration (File No. 94.156E); companion measure to File 271-97-9.1. (Planning Department) (Negative Declaration adopted and issued 6/11/97.) Referred to Housing and Neighborhood Services Committee.

File 271-97-009.01. [Air Quality Element of the General Plan] Resolution approving amendments to the General Plan to incorporate the Air Quality Element as adopted by the Planning Commission (File No. 94.156M); companion measure to File 271-97-9. (Planning Department) (Planning Commission Resolution No. 14421 adopted 7/17/97.) Referred to Housing and Neighborhood Services Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney draft appropriate legislation concerning fourteen points of the bicycle transit enhancement plan.

By Supervisor Kaufman, that letter be sent to all City departments, boards, agencies and commissions asking them to review and respond within 60 days of the date of the letter by briefly explaining their policies on public notice pursuant to Administrative Code Section 67.7-1 which requires that public notices mailed by them to residents be brief, concise and written in plain, easily understood English.

By Supervisors Ammiano, Bierman, that letter be sent to Quest Comprehensive Care Network (QCCN) of Davis Medical Center requesting that medical records of patients of Doctor Virginia Cafaro be released to the patients for their continued ongoing health care.

By Supervisor Ammiano, that letter be sent to the City's Lobbyists and the San Francisco Delegation in the State Legislature requesting cooperation with the California Bankers Association to modify the State Bank In Lieu Tax Law to mandate subvention of a portion of these tax receipts to local government. File 12-97-27.

By Supervisor Ammiano, that letter be sent urging Governor Pete Wilson, members of the Budget Conference Committee, the Assembly and Senate Leadership not to cut proposed increases of funding for State AIDS/HIV programs to pay for the court settlement to the Public Employee Retirement System (PERS) which would amount to \$1.3 billion dollars and that the settlement not be paid at once but spread over a number of years, saving any proposed increases to the HIV/AIDS programs in the current fiscal year 1997-98 budget deliberations.

By Supervisor Brown, that City Attorney prepare ordinance to implement the provisions of SB 537, establishing dedicated staff capacity within the District Attorney's office charged with combating mortgage-related fraud cases.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:11 p.m. adjourned.

John L. Taylor, Clerk

Monday, August 11, 1997

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 20, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

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/18/97  
Monday, August 18, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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BOARD OF SUPERVISORS

Monday, August 18, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Bierman, Leal - 2.

Quorum present.

Supervisor Leal previously excused. (See supra.)

Supervisor Bierman was noted present at 2:04 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, June 2, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisors Bierman, Leal - 2.

SPECIAL ORDER 2:00 P.M.

Recommendations of Finance Committee

Adopted as Amended

[Ballot Argument, Water System Reliability/Seismic]

Motion authorizing Ballot Argument in favor of Proposition A, relating to revenue bonds in an amount not to exceed \$157,000,000 for water system reliability and seismic safety improvements. (Supervisor Yaki)

File 60-97-4.1

Supervisor Yaki, seconded by Supervisor Teng, moved to amend ballot argument, page one, line two by deleting the word "With" and inserting "Without".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[Ballot Argument, Safe Drinking Water Bonds]

Motion authorizing Ballot Argument in favor of Proposition B, relating to revenue bonds in an amount not to exceed \$147,000,000 for safe drinking water improvements. (Supervisor Yaki)

File 60-97-5.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Recommendations of Rules Committee

Adopted .

[Ballot Argument, Safety Employees Retirement]

Motion authorizing proponent's Ballot Argument in favor of Proposition C, a Charter amendment concerning safety employees retirement (police/fire buy back agreement). (Supervisor Katz)

File 257-97-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Ballot Argument]

Motion authorizing proponent's Ballot Argument in favor of Proposition D, a Charter amendment concerning the Board of Supervisors' approval of sale or lease of real property. (Supervisor Kaufman)

File 256-97-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Ballot Argument, Youth Commission]

Motion authorizing proponent's Ballot Argument in favor of Proposition E, a Charter amendment relating to creation of staggered terms for members, certification of removal of members, allowing for compensation, amending quorum and voting requirements, giving non-exclusive authority to conduct programs related to children and youth, authorizing Commission recommendation of applicants and deletion of obsolete material. (Supervisor Newsom)

File 255-97-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Ballot Argument, Sale of Top of Mt. Davidson Land]

Motion authorizing proponent's Ballot Argument in favor of Proposition F, an Ordinance approving the sale of .38 acres at the top of Mt. Davidson Park. (Supervisors Brown, Teng)

File 60-97-6.1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

CONSENT CALENDAR



Recommendations of Finance Committee

Finally Passed

[MOU, Local 790 Bargaining Unit SC4]  
Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County for Bargaining Unit SC4, to be effective for the period July 1, 1997 through June 30, 2000; providing for ratification of action previously taken. (Department of Human Resources)

File 93-97-47, Ordinance No. 330-97

(Fiscal Impact.)

Finally passed.

[Patient Rates for DPH Services, FY 1997-98]  
Ordinance amending Health Code, fixing patient rates for services furnished by City and County healthcare institutions; authorizing retroactively the effective date of July 1, 1997. (Department of Public Health)

File 118-97-3, Ordinance No. 332-97

(Amends Section 128.)

Finally passed.

[Red Light Camera Enforcement Program]  
Ordinance authorizing execution of contract between the Department of Parking and Traffic and a bidder it deems responsive to provide construction and professional services for the red light camera enforcement program; waiving competitive bidding requirements of Section 21.6 of the Administrative Code. (Supervisor Leal)

File 172-97-47, Ordinance No. 336-97

Finally passed.

Adopted

[Award of Management Agreement]  
Resolution confirming award of the Management Agreement for the operation of the St. Mary's Square Garage and the 16th & Hoff Garage, to Parking Concepts, Inc./Daja, Inc. (Real Estate Department)

File 47-97-3, Resolution No. 776-97

Adopted.

Recommendations of Economic Development, Transportation  
and Technology Committee

Finally Passed

[Bayshore-Hester Special Use District]  
Ordinance amending Planning Code to create the "Bayshore-Hester Special Use District"; to amend the "Neighborhood Commercial Shopping Center" use table and to include, within said "Bayshore-Hester Special Use District" only, a "Hotel" within the definition of "Hotel, Tourist" pursuant to Section 101 of Planning Code and adopting findings pursuant to Section 101.1; companion measure to File 36-97-4. (Planning Department)

File 115-97-10, Ordinance No. 331-97

(Planning Commission Resolution No. 14375 adopted May 22, 1997, approving amendments to the text of Planning Code and to Zoning Map.)

(Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated April 1, 1997.)

(Adds Section 780.2; amends Sections 713, 713.55 and 790.46.)

Finally passed.

[Zoning Map Amendment, Bayshore Blvd/Hester Avenue]

Ordinance adopting changes in property use classification as amendment to the Zoning Map of property located at 2011 Bayshore Boulevard, with additional frontage on Hester Avenue, Lots 3, 10 and 11 in Assessor's Block 5054A, from NC-S (Neighborhood Commercial Shopping Center District) to the Bayshore-Hester Special Use District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 115-97-10. (Planning Department)

File 36-97-4, Ordinance No. 329-97

(Planning Commission Resolution No. 14375 adopted May 22, 1997, approving amendments to the text of Planning Code and to Zoning Map.)

(Certificate of Determination of Exemption-Exclusion from Environmental Review as a general rule exclusion dated April 1, 1997.)

Finally passed.

[Parking Restriction, Construction Activity]

Ordinance amending Traffic Code, extending the date that regulation concerning vehicular or pedestrian traffic and parking prohibited or restricted in certain cases residential and neighborhood commercial areas shall be in effect to June 30, 1998. (Supervisor Yaki)

File 124-97-4, Ordinance No. 333-97

(Amends Section 33.1A.)

Finally passed.

#### Recommendations of Housing and Neighborhood Services Committee

##### Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Housing and Neighborhood Services)

File 18-97-6, Resolution No. 768-97

##### (Stop Signs - Establish

Crisp and Quesada Avenues, northwest and southeast corners, stopping Crisp Avenue (makes this uncontrolled intersection a 2-way Stop);

Wildwood Way and Eastwood Drive, northwest and southeast corners, stopping Eastwood Drive (makes this uncontrolled intersection a 2-way Stop);

Wildwood Way and Westwood Drive, northwest and southeast corners, stopping Westwood Drive (makes this uncontrolled intersection a 2-way Stop.)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Neighborhood Services)

File 19-97-5, Resolution No. 769-97

##### (10-Minute Parking Time Limit, 7 a.m. - 9 a.m. and 3 p.m. - 6 p.m., School Days - Establish

Oak Street, north side, between Gough and Franklin Streets.

##### No Parking, 7 a.m. - 9 a.m. and 3 p.m. - 6 p.m., School Days - Establish

Hickory Street, south side, between Gough and Franklin Streets.

##### 20-Minute Parking Time Limit - Establish

Christmas Tree Point Road, entire north side, east of Twin Peaks Boulevard.

##### Green Zone Time Extension (6 p.m. - 9 p.m., Monday through Saturday; and 9 a.m. - 9 p.m., Sunday) - Rescind

251 Balboa Street, south side, from 4th Avenue to 22 feet easterly (22-foot zone).

No Parking Anytime - Establish

Belgrave Avenue, south terminus, from the south curb in front of #1 Belgrave Avenue to 20 feet northerly (20-foot zone).

No Parking Anytime - Rescind

Cesar Chavez Street, north side, from Mississippi Street to a point 202 feet west of Indiana Street;

Cesar Chavez Street, south side, from the extension of the west property line of Mississippi Street to 3rd Street;

Oak Street, north side, from Ashbury Street to 200 feet easterly (200-foot zone).

No Parking Anytime - Rescind

Tow-Away, No Parking, 12 a.m. - 5 a.m. Everyday - Establish

Jennings Street, east side, between Cargo Way and Evans Avenue.

No Parking Anytime - Rescind

Tow-Away, No Parking Anytime - Establish

Carmelita Street, south terminus, south of Waller Street (adjacent to the Duboce Park steps);

Juniper Street, west side, from Folsom Street to south terminus;

Truett Street, both sides, from Mason Street to west terminus.

Tow-Away, No Parking Anytime - Establish

Kearny Street, south terminus, south of Francisco Street.

One-Hour Parking Time Limit, 7 a.m. - 6 p.m., Except Sunday - Rescind

Taraval Street, both sides between 29th and 30th Avenues (1900 block).

One-Hour Parking Time Limit, 7 a.m. - 6 p.m., Except Sunday - Rescind

Two-Hour Parking Time Limit, 7 a.m. - 6 p.m., Except Sunday - Establish

Peter Yorke Way, both sides, between Geary Expressway and Post Street.

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 9 a.m. - 6 p.m., Monday through Saturday) - Establish

Willow Street, north side, between Larkin and Polk Streets.

10-Minute Parking Time Limit, 3 p.m. - 6 p.m., Everyday - Establish

Willow Street, north side, from Polk Street to 100 feet easterly (100-foot zone).

Perpendicular (90-Degree Angle) Parking - Establish

Kansas Street, east side, from 20th Street to a point 60 feet south of 19th Street;

Vermont Street, east side, between 19th and 20th Streets.)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Neighborhood Services)

File 19-97-6, Resolution No. 770-97

(No Parking, 6 a.m. - 8 a.m., Monday through Friday, Except Vehicles with Carpool Permits - Rescind

No Parking, 6 a.m. - 9 a.m., Monday through Friday, Except Vehicles with Carpool Permits - Establish

4th Street, east side, from Folsom Street to 125 feet southerly (125-foot zone, change in effective hours only).

No Parking, 6 a.m. - 8 a.m., Monday through Friday, Except Vehicles with Carpool Permits - Rescind

Maibini Street, both sides, between Folsom and Bonifacio Streets.

No Parking, 6 a.m. - 9 a.m., Monday through Friday, Except Vehicles with Carpool Permits - Establish

Maibini Street, west side, between Folsom and Bonifacio Streets.)

Adopted.

[Traffic Regulations, Various Streets]  
Resolution enacting and rescinding traffic regulations on various streets. (Supervisor Teng)  
File 20-97-5, Resolution No. 771-97

(Bicycle Lane – Establish (3-Month Trial Period)

Stockton Tunnel, east curb lane (northbound only), between Sacramento and Sutter Streets.

Mid-Block Crosswalks – Establish

Fillmore Street, approximately 275 feet south of O'Farrell Street (along the extension of the north property line of Ellis Street);

Hickory Street, between Gough and Franklin Streets;

Oak Street, between Gough and Franklin Streets, in front of #150 Oak Street.

No Left Turn – Rescind

Alemany Boulevard, both directions, at Geneva Avenue.

One-Way Street – Establish

Perry Street, westbound, between 3rd and 4th Streets.

One-Way Street – Rescind

Clementina Street, eastbound, between 3rd and Kaplan Streets;

Clementina Street, eastbound, between 8th and Summer Streets.

Tow-Away, No Stopping Anytime – Rescind

Main Street, east side, from Mission Street to 320 feet southerly.

Tow-Away, No Stopping Anytime – Establish

Langton Street, east side, from Bryant Street to south terminus;

San Jose Avenue, north side, between Alemany Boulevard and DeLong Street;

Stanyan Street, west side, from John F. Kennedy Drive to 155 feet southerly (155-foot zone);

Sutter Street, south side, from Market Street to 33 feet westerly (33-foot zone between crosswalks, opposite Sansome Street).

Tow-Away, No Stopping, 7 a.m. – 9 a.m., Monday through Friday – Rescind

Franklin Street, east side, between Hayes and Grove Streets.

Tow-Away, No Stopping, 7 a.m. – 9 a.m., Monday through Friday – Establish

Franklin Street, west side, between Page and Fulton Streets.

Tow-Away, No Stopping, 4 p.m. – 7 p.m., Monday through Friday – Establish

2nd Street, east side, between Brannan and Bryant Streets;

2nd Street, east side, between Bryant and Harrison Streets.

Multiple Turn Lanes – Establish

2nd Street, northbound, at Harrison Street (within channelized right turn area).

No Right Turn – Establish

2nd Street, northbound, at Harrison Street (from the #2 lane, north of the traffic island).

Tow-Away Lane Must Turn Right – Establish

2nd Street, northbound, at Bryant Street.

Tow-Away, No Stopping, 3 p.m. - 7 p.m., Monday through Friday - Establish

4th Street, east side, between Harrison and Rizal Streets.

Tow-Away, No Stopping Anytime, Except Sunday - Rescind

Tow-Away, No Stopping Anytime - Establish

Mission Street, north side, from 3rd Street to 310 feet westerly (310-foot zone).

Bicycle Lane - Establish

Cesar Chavez Street, north curb lane (westbound), between 3rd Street and Pennsylvania Avenue;

Cesar Chavez Street, south curb lane (eastbound), from Tennessee Street to a point 160 feet west of Mississippi Street.

Left Lane Must Turn Left - Establish

Cesar Chavez Street, eastbound, at Minnesota Street.

Right Lane Must Turn Right - Establish

Cesar Chavez Street, eastbound, at 3rd Street.

Tow-Away, No Stopping Anytime - Establish

Cesar Chavez Street, north side, between Mississippi Street and Pennsylvania Avenue;

Cesar Chavez Street, south side, from Pennsylvania Avenue to a point 220 feet west of Indiana Street;

Cesar Chavez Street, south side, from a point 160 feet west of Mississippi Street to a point 60 feet west of Pennsylvania Avenue.)

Adopted.

[Residential Parking Area "H", Lakeside Area]

Resolution extending the boundaries of Residential Permit Parking Area "H" in the Lakeside Area and adding to the list of streets upon which time limitations shall apply. (Paloma Avenue, between Ocean Avenue and Junipero Serra Boulevard, both sides). (Supervisor Teng)

File 40-97-16, Resolution No. 774-97

Adopted.

#### Recommendations of Rules Committee

Passed for Second Reading

[Beverly Hartley v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Beverly Hartley against the City and County by payment of \$67,500. (City Attorney)

File 45-97-79, Ordinance No.

(Superior Court No. 976-268.)

Passed for second reading.

[Cala Foods, Inc. v. CCSF]

Ordinance authorizing settlement of litigation of Cala Foods, Inc. against the City and County by recognizing a reduction of property taxes due by \$27,225.58. (City Attorney)

File 45-97-80, Ordinance No.

(Superior Court No. 980-566.)

Passed for second reading.

[Maher Abuyaghi v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Maher Abuyaghi against the City and County, Richard Quesada, et al. by payment of \$8,750. (City Attorney)

File 45-97-81, Ordinance No.

(Municipal Court No. 127-832.)

Passed for second reading.

[Anderson Pacific Engineering v. CCSF]

Ordinance authorizing settlement of litigation of Anderson Pacific Engineering Construction, Inc. against the City and County for \$218,475.97 in unpaid contract earnings, plus interest thereon at 6 percent. (City Attorney)

File 45-97-82, Ordinance No.

(Superior Court No. 949-549.)

Passed for second reading.

[Lampkin v. Smith and CCSF]

Ordinance authorizing settlement of litigation in the matter of Joycelyn Lampkin v. Benjamin Smith, Beverly Smith and the City and County, by payment of \$45,000. (City Attorney)

File 45-97-83, Ordinance No.

(Superior Court No. 978-808.)

Passed for second reading.

[Amaral and Olmstead v. CCSF]

Ordinance authorizing settlement of litigation of Amaral and Olmstead against the City and County by payment of \$59,036.83. (City Attorney)

File 45-97-84, Ordinance No.

(Alameda County Superior Court No. H 1931477.)

Passed for second reading.

[Teresa Tse v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Teresa Tse against the City and County by payment of \$17,500. (City Attorney)

File 45-97-86, Ordinance No.

(Superior Court No. 974-517.)

Passed for second reading.

[Radgia Tanago v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Radgia Tanago against the City and County by payment of \$37,500. (City Attorney)

File 45-97-87, Ordinance No.

(Superior Court No. 971-763.)

Passed for second reading.

[Carolyn Reilly v. CCSF, et al.]

Ordinance authorizing offer of compromise pursuant to CCP Section 998 in the litigation of Carolyn Reilly v. City and County and Emilio Cruz, in the amount of Forty Thousand Dollars (\$40,000), to be paid as wages. (City Attorney)

File 45-97-88, Ordinance No.

(United States District Court No. C96-3995 WHO.)

Passed for second reading.

[Settlement of Lawsuits]

Ordinance authorizing settlement of litigation of F. W. Spencer & Son, Inc. against the City and County for receipt of \$675,000.00. (City Attorney)

File 46-97-10, Ordinance No.

(Superior Court No. 970-323 consolidated with Superior Court No. 976-322, Superior Court No. 985-305, U.S. District Court Case No. C96-1913 SAW, U.S. District Court Case No. C95-4242 TEH.)

Passed for second reading.

[Settlement of Unlitigated Claim]

Ordinance authorizing settlement of unlitigated claim of the United States Department of Health and Human Services against the City and County by paying the amount of \$97,621.64 for Medicare reimbursement. (City Attorney)

File 48-97-51, Ordinance No.

Passed for second reading.

[Settlement of Claim]

Ordinance authorizing settlement of the sexual discrimination claims filed by Kathryn How, Leslie Lundgren, Rochelle Campana, Sarah Blain and Sue-Syin Chou in an amount not to exceed One Hundred Six Thousand, One Hundred Thirty-Five Dollars and Forty-Eight Cents (\$106,135.48), less applicable taxes and withholdings. (City Attorney)

File 48-97-56, Ordinance No.

Passed for second reading.

Adopted

[Waiver of Five-Year Deadline]

Resolution authorizing the City Attorney to waive the five-year deadline within which to bring the case, To, et. al. v. City and County of San Francisco et. al., to trial. (City Attorney)

File 45-97-85, Resolution No. 775-97

(Superior Court No. 947-274.)

Adopted.

[Settlement of Claim, Larry Banner]

Resolution approving the settlement of the unlitigated claim of Larry Banner by payment of \$15,000.00. (City Attorney)

File 48-97-52, Resolution No. 777-97

Adopted.

[Settlement of Claim, Hensel Phelps Construction Company]

Resolution approving the settlement of the unlitigated claim of Hensel Phelps Construction Company by payment of \$815,000. (City Attorney)

File 48-97-53, Resolution No. 778-97

Adopted.

[Settlement of Claim, Annie M. Gloston]

Resolution approving the settlement of the unlitigated claim of Annie M. Gloston by payment of \$6,091.27. (City Attorney)

File 48-97-54, Resolution No. 779-97

Adopted.

[Settlement of Claim, Eliot Canick]

Resolution approving the settlement of the unlitigated claim of Eliot Canick by payment of \$15,000. (City Attorney)

File 48-97-55, Resolution No. 780-97

Adopted.

[Settlement of Claim, Ruby L. Garner]  
Resolution approving the settlement of the unlitigated claim of Ruby L. Garner by payment of \$8,500.00. (City Attorney)

File 48-97-57, Resolution No. 781-97

Adopted.

[Settlement of Claim, Geico Insurance Company]  
Resolution approving the settlement of the unlitigated claim of Geico Insurance Company subrogee of Darwin Tejada by payment of \$8,281.83. (City Attorney)

File 48-97-58, Resolution No. 782-97

Adopted.

[Settlement of Claim, CSAA]  
Resolution approving the settlement of the unlitigated claim of California State Automobile Association as subrogee of Anita Head by payment of \$7,072.19. (City Attorney)

File 48-97-59, Resolution No. 783-97

Adopted.

[Settlement of Claim, BPBH Housing Corporation]  
Resolution approving the settlement of the unlitigated claim of BPBH Housing Corporation by payment of \$15,000. (City Attorney)

File 48-97-60, Resolution No. 784-97

Adopted.

[Settlement of Claim]  
Resolution approving the settlement of unlitigated claim by the Department of Health Services on behalf of the City and County against the Federal Health Care Financing Administration in the amount of \$1,672,598. (City Attorney)

File 49-97-2, Resolution No. 785-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### From Committee of the Whole

#### Finally Passed

[Rincon Point-South Beach Redevelopment Plan]  
Ordinance amending Ordinance 14-81, as amended by Ordinances 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the project area by adding land to the South Beach sub-area of the project area, specifically portions of Block 3766 (northwest corner of Beale and Bryant Streets immediately adjacent to the southern abutment of the Bay Bridge). (Supervisor Yaki)

File 151-97-4, Ordinance No. 334-97



(Resolution 14415 dated July 10, 1997, finding amendments to the Rincon Point-South Beach Redevelopment Plan consistent with the General Plan (as proposed to be amended) and, on balance consistent with Planning Code Section 101.1.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Street Vacation, Jurisdictional Transfer]

Ordinance ordering the vacation of a portion of Treat Avenue west of Alabama Street and north of 15th Street and transferring jurisdiction from Department of Public Works to Department of Animal Care and Control and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Yaki)

File 164-97-2.1, Ordinance No. 335-97

(March 14, 1997 - Planning Department indicated the proposed vacation is in conformity with the General Plan.)

(Categorically exempt from Environmental Review.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

#### NEW BUSINESS

##### Recommendations of Finance Committee

###### Adopted

[Appropriations Limit, Fiscal Year 1997-98]

Resolution establishing the appropriations limit for fiscal year 1997-98 pursuant to California Constitution Article XIII B. (Controller)

File 101-97-5, Resolution No. 795-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

###### Passed for Second Reading

[Appropriation, Art Commission]

Ordinance amending the Annual Appropriation Ordinance for fiscal year 1997-98, Ordinance Number 306-97, adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106. (Controller)

File 101-97-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Tax Rate Setting, CCSF, FY 1997-98]

Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1998. (Controller)

File 74-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Tax Rate Setting, SFUSD, FY 1997-98]

Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1998. (Controller)

File 74-97-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading

[Tax Rate Setting, SF Community College, FY 1997-98]

Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1998. (Controller)

File 74-97-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Passed for Second Reading as Amended

[Appropriation, Board of Supervisors]

Ordinance appropriating \$384,905, Board of Supervisors from the General Fund Reserve for salaries and fringe benefits for the creation of eleven (11) positions (8.0 full time equivalent) and the abolishment of one (1) position, for fiscal year 1997-98; companion measure to File 102-97-3. (Controller)

File 101-97-9, Ordinance No.

Supervisor Ammiano, seconded by Supervisor Newsom, moved to amend page two by adding the following new section:

"Section 3. That a good faith effort be made to hire those San Franciscans on public assistance, who face termination or severe reductions in benefits."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Supervisor Newsom, seconded by Supervisor Ammiano, moved to further amend page two by adding the following new section:

"Section 4. These positions shall terminate on January 8, 2001."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

The roll was then called on the pending ordinance and it was passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yee - 8.

Noes: Supervisors Medina, Yaki - 2.

Absent: Supervisor Leal - 1.

[Salary Ordinance Amendment, Board of Supervisors]  
Ordinance amending Annual Salary Ordinance 1997/98, Board of Supervisors, reflecting the creation of eleven (11) positions (Class 1364 Special Assistant V) and the deletion of one (1) position (Class 1361 Special Assistant II); companion measure to File 101-97-9. (Department of Human Resources)

File 102-97-3, Ordinance No.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Newsom, moved to amend page two by adding the following new section:

"Section 2. That a good faith effort be made to hire those San Franciscans on public assistance, who face termination or severe reductions in benefits."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Supervisor Newsom, seconded by Supervisor Ammiano, moved to further amend page two by adding the following new section:

"Section 3. These positions shall terminate on January 8, 2001."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

The roll was then called on the pending ordinance and it was passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yee - 8.

Noes: Supervisors Medina, Yaki - 2.

Absent: Supervisor Leal - 1.

#### Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Adopted as Amended

[Community Outreach/Constituent Liaison]

((Motion directing the Clerk to seek a Supplemental Appropriation and to take other steps necessary to appoint one Community Outreach/Constituent Liaison for each Supervisor.)) (Supervisors Katz, Ammiano, Teng, Yee, Brown, Bierman)

Motion directing the Clerk of the Board to initiate the process for creating the position of constituent liaison for each member of the Board of Supervisors, and directing the Clerk to prepare a supplemental appropriation to fund the positions.

File 54-97-7

Supervisor Kaufman, seconded by Supervisor Katz, moved an amendment of the whole entitled, "Motion directing the Clerk of the Board to initiate the process for creating the position of constituent liaison for each member of the Board of Supervisors, and directing the Clerk to prepare a supplemental appropriation to fund the positions."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Supervisor Ammiano, seconded by Supervisor Newsom, moved to amend page two, line 5, by adding the following:

"Further Moved, That a good faith effort be made to hire, those San Franciscans, on public assistance, who face termination or severe reductions in benefits".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Supervisor Newsom, seconded by Supervisor Ammiano, moved to further amend page two by adding the following sentence:

"Further Moved, These positions shall terminate on January 8, 2001."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Supervisor Bierman, seconded by Supervisor Ammiano, moved to further amend to raise the level of salary for this position to the same scale as the Legislative Assistant.

After a brief period of discussion, there being no objection, Supervisor Bierman withdrew the motion to amend.

The roll was then called on the main motion and it was adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yee - 8.

Noes: Supervisors Medina, Yaki - 2.

Absent: Supervisor Leal - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The President resumed the Chair.

#### Passed for Second Reading

[Environmental Review Actions]

Ordinance amending Administrative Code to extend the September 30, 1997, Sunset Clause to June 30, 1998, for environmental review actions, activities and procedures; companion measure to File 115-97-11. (Planning Department)

File 97-97-39, Ordinance No.

(Amends Chapter 31.)

(Excluded from environmental review requirements of the California Quality Act as non-physical project for modification of fee and rate structures).

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Extend Planning Department Fee Sunset Clause]

Ordinance amending Planning Code to extend the September 30, 1997 Sunset Clause to June 30, 1998, for Planning Department actions, activities and services; companion measure to File 97-97-39. (Planning Department)

File 115-97-11, Ordinance No.

(Amends Article 3.5A, Section 539.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Contract, Hazardous Materials Abatement Work]  
Ordinance amending Administrative Code, providing for the selection of contractors to perform hazardous materials abatement work on public works projects. (Department of Public Works)

File 97-97-40, Ordinance No.

(Adds Section 6.08.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Debt Service Savings, Refunding Bonds]

Ordinance amending Administrative Code to provide for debt service savings test for issuance of certain Refunding Bonds without voter approval. (Supervisor Leal)

File 97-97-41, Ordinance No.

(Adds Chapter 78, Sections 78.1 through 78.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Equipment Lease Supplement No. 6]

Ordinance approving the form of and authorizing execution and delivery by the City and County of an Equipment Lease Supplement No. 6 between the City and County Finance Corporation, as lessor, and the City and County, as lessee, with respect to equipment to be used for City purposes, a related Certificate of Approval and a Continuing Disclosure Certificate; approving the issuance of Lease Revenue Bonds by said nonprofit corporation in an amount not to exceed Fourteen Million Dollars (\$14,000,000); providing for reimbursement to the City of certain City expenditures incurred prior to the issuance of Lease Revenue Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Mayor)

File 170-97-2, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Adopted

[CEQA Findings and General Plan Amendments]

Resolution approving amendments to the General Plan in order to approve acquisition of Lot 3 in Assessor's Block 336 and Lots 5 and 5A in Assessor's Block No. 3639, by the City and County, to establish a new park in the Tenderloin/north of Market neighborhood and a new park in the Mission District (201 Hyde Street and 23rd and Treat Streets); companion measure to Files 84-97-5, 168-7-2. (Planning Department)

File 271-97-8, Resolution No. 802-97

(The amendments were adopted by the City Planning Commission by Resolution No. 14427, and Resolution No. 14429 on July 24, 1997, incorporating by reference findings pursuant to the California Environmental Quality Act as analyzed in the Certificate of Determination/Exclusion from Environmental Review for the amendments to the Recreation and Open Space Element of the General Plan, Files No. 96.332EMR and 97.351EMR.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Property Acquisition, Tenderloin District]

Resolution approving and authorizing an agreement for purchase and sale of real property in the Tenderloin District generally described as 201 Hyde Street (Lot 3 in Assessor's Block 336), for open space purposes and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 271-97-8. (Supervisor Leal)

File 84-97-5, Resolution No. 786-97

(June 12, 1997 - General Rule Exclusion from Environmental Review.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Eminent Domain, Lots 5 and 5A, Block 3639]

Motion directing the Board of Supervisors to hold a public hearing on September 22, 1997 at 3:00 p.m. to consider adopting a resolution of necessity in connection with a proposal to acquire by eminent domain Lot Nos. 5 and 5A in Assessor's Block 3639 (23rd and Treat Streets) in San Francisco for the Open Space Program; companion measure to File 271-97-8. (Real Estate Department)

File 168-97-2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[State Funds, Civic Center Plaza Playground Project]

Resolution authorizing the Director of Public Works to accept and expend a mitigation settlement in the amount of \$250,000 to construct the Civic Center Plaza Playground. (Supervisors Teng, Medina, Newsom)

File 148-97-4, Resolution No. 796-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[State Grant, Pumpout Facilities for Marina]

Resolution authorizing the Recreation and Park Department to apply for, accept and expend grant funds of \$22,300 from California Department of Boating and Waterways for installation of sanitation equipment at San Francisco Small Craft Harbor. (Recreation and Park Department)

File 150-97-2, Resolution No. 797-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Smart and Final Liquor License Upgrade]

Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage license for Smart & Final #438, located at 355 Bayshore Boulevard, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-23, Resolution No. 799-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Liquor License, 1661 Pine Street]

Resolution determining that the issuance of a Type 63 on-sale beer and wine-hospital license to Episcopal Homes Foundation, owner and operator of San Francisco Towers, located at 1661 Pine Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-24, Resolution No. 800-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

(Supervisor Newsom excused from voting in Committee.)

[Liquor License Transfer, 2552 Taylor Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license from Cost Plus located at 2598 Taylor Street to its new location at 2552 Taylor Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-25, Resolution No. 801-97

#### Supervisor Newsom Excused from Voting

The Clerk announced that Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Leal - 1.

#### Recommendations of Rules Committee

Adopted

[Appointment]

Resolution confirming Mayor's appointment of Neli Palma to serve as a member of the Redevelopment Commission. (Mayor)

File 33-97-4, Resolution No. 772-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution confirming Mayor's appointment of Kimberly Brandon to serve as a member of the San Francisco Port Commission. (Mayor)

File 33-97-5, Resolution No. 773-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution appointing member to the Advisory Council to the Commission on the Aging, term expired, for new two-year term ending March 31, 1999. (Rules Committee)

File 92-97-13.2, Resolution No. 787-97

(Adoracion Jimenez, vice Wende Chan, Seat No. 20309.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution appointing Supervisor Michael Yaki to the Association of Bay Area Governments, Executive Board, term expired, for new two-year term ending June 30, 1999. (Rules Committee)

File 92-97-31, Resolution No. 788-97

(Vice himself, Seat No. 10301, regular position.)

Supervisor Yaki Excused from Voting

The Clerk announced that Supervisor Yaki requested to be excused from voting because of a possible conflict of interest.

Supervisor Medina, seconded by Supervisor Teng, moved to excuse Supervisor Yaki from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yee - 9.

Excused: Supervisor Yaki - 1.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution appointing Supervisor Susan Leal to the Association of Bay Area Governments, Executive Board, term expired, for new two-year term ending June 30, 1999. (Rules Committee)

File 92-97-31.1, Resolution No. 789-97

(Vice herself, Seat No. 10302, regular position.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution appointing Supervisor Leslie Katz to the Association of Bay Area Governments, Executive Board, term expired, for new two-year term ending June 30, 1999. (Rules Committee)

File 92-97-31.2, Resolution No. 790-97

(Vice herself, Seat No. 10303, alternate position.)

Supervisor Katz Excused from Voting

The Clerk announced that Supervisor Katz requested to be excused from voting because of possible conflict of interest.

Supervisor Medina, seconded by Supervisor Teng, moved to excuse Supervisor Katz from voting.



Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

The roll was then called on pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Excused: Supervisor Katz - 1.

Absent: Supervisor Leal - 1.

(Supervisor Brown excused from voting in Committee.)

[Appointment]

Resolution appointing Supervisor Amos Brown to the Association of Bay Area Governments, Executive Board, term expired, for new two-year term ending June 30, 1999. (Rules Committee)

File 92-97-31.3, Resolution No. 791-97

(Vice himself, Seat No. 10304, alternate position.)

Supervisor Brown Excused from Voting

The Clerk announced that Supervisor Brown requested to be excused from voting because of possible conflict of interest.

Supervisor Medina, seconded by Supervisor Teng, moved to excuse Supervisor Brown from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

The roll was then called on pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Excused: Supervisor Brown - 1.

Absent: Supervisor Leal - 1.

[Appointment]

Resolution appointing member to the Veterans Affairs Commission, for unexpired portion of four-year term ending January 31, 2001. (Rules Committee)

File 92-97-33, Resolution No. 792-97

(Veronika Cauley, vice John S. Griswold, Seat No. 23802, at-large, deceased.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, terms expired. (Rules Committee)

File 92-97-37.1, Resolution No. 793-97

(Joan Slaughter, vice herself, Seat No. 20009, age group, for new three-year term ending September 30, 1999;

David Ishida, vice Merle Espaldon, Seat No. 20010, Commission on the Aging, for new three-year term ending September 30, 1998;

Ann Rovere, vice herself, Seat No. 20015, at-large, for new three-year term ending September 30, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appointments]

Resolution appointing members to the Assessment Appeals Board, terms expiring September 1, 1997, for new three-year terms ending September 4, 2000; all seats require five years of professional experience per Revenue and Tax Code Section 1624. (Rules Committee)

File 92-97-38, Resolution No. 794-97

(Alec Lambie, vice himself, Seat No. 21001, Board No. 1, regular position;  
Robert Reese, vice himself, Seat No. 21005, Board No. 1, hearing officer, alternate position;  
Hayes Miles, vice himself, Seat No. 21006, Board No. 1, hearing officer, alternate position;  
Ronald Chun, vice himself, Seat No. 21007, Board No. 2, regular position;  
JoAnne M. McEachern, vice herself, Seat No. 21010, Board No. 2, hearing officer, alternate position;  
Owen Brady, vice himself, Seat No. 21013, board No. 2, hearing officer, alternate position.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to recommendations of the Public Transportation Commission for reduction in frequency of local Saturday service on the 38 Geary from every three or four minutes to every seven or eight minutes. This will permit Municipal Railway to implement 38L Geary Limited service on Saturdays and to increase service from 33rd Avenue west to 48th Avenue and Point Lobos.

File 7-97-13

(Filed July 30, 1997.)

The privilege of the floor was granted to the following persons:

Support: Bob Planthold, Ray, Julianne Fisher, Reggie McCray.

There being no one else present who wished to address the Board, the President closed the public hearing.

(Only one of the following two resolutions should be adopted.)

Adopted

[Partial Abandonment of 38-Geary Service]

Resolution approving partial abandonment of 38-Geary service on Saturdays to facilitate the implementation of 38L Geary Limited service on Saturdays; companion measure to File 7-97-13.1. (Public Transportation Commission)

File 7-97-13, Resolution No. 767-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

Tabled

[Partial Abandonment of 38-Geary Service]

Resolution disapproving partial abandonment of 38-Geary service on Saturdays to facilitate the implementation of 38L Geary Limited service on Saturdays; companion measure to File 7-97-13. (Public Transportation Commission)

File 7-97-13.1, Resolution No.

Supervisor Yaki, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

COMMITTEE REPORTS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation]

Ordinance appropriating \$4,000,000, Department of Business and Economic Development, of Neighborhood Development Special Revenue Fund for salaries, fringe benefits, materials and supplies, other contractual services and services of other departments for fiscal year 1997-98, placing \$569,307 on reserve. (Controller)

File 101-97-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Appropriation, Department of Public Works]

Ordinance appropriating \$1,457,295, Department of Public Works, (\$1,189,276 of 1988 Public Library Improvement Bond Interest Earnings and \$267,569 of 1990 Earthquake Safety Bond Fund Interest Earnings) for the renovation of the Mission Branch Library for fiscal year 1997-98. (Mayor Willie L. Brown, Jr.)

File 101-97-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Hotel Tax Allocation, Cultural Center]

Ordinance amending Municipal Code, Part III, to change the special purpose allocations of hotel tax revenues from percentages to specific dollar amounts, to adjust each allocation annually by the rate of growth or loss in total hotel tax revenues (subject to a ten percent cap) and to change the source of funds for the cultural center allocation. (Supervisor Kaufman)

File 127-97-6.1, Ordinance No.

(Amends Section 515.01.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

[Reward Authorization]

Ordinance authorizing payment of reward in the amount of \$5,000 to Doe One. (Mayor's Criminal Justice Council)

File 155-97-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Gilbert Criswell, term limits for City Attorney;  
Leboriae P. Smoore, police brutality;  
Jesus Gumban, employment issue;  
Ray, Civil Service Commission Salary Survey and Certification of Wage Schedules for transit operators for fiscal year 1997-98;  
Louise Vaughn, black males incarcerated;  
Pat Langdell, support keeping de Young Museum in Golden Gate Park;  
Constance Kuruppu, Oakland serial rapist.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[March on Washington 34th Anniversary]  
Resolution welcoming the national Rainbow Coalition's March to commemorate the 34th Anniversary of the March on Washington. (Supervisors Teng, Brown, Medina, Katz, Bierman, Amiano, Newsom)

File 6-97-141, Resolution No. 761-97

(August 11, 1997 - Introduced in Board for consideration on August 18, 1997.)

Adopted.

In connection with the above item, Supervisor Newsom requested to be added as co-sponsor.

[Commendation]  
Resolution commending the Greater Geary Boulevard Merchants and Property Owners Association, Inc. on its annual luncheon. (Supervisors Teng, Kaufman, Medina, Newsom, Brown, Katz, Bierman)

File 6-97-142, Resolution No. 762-97

(August 11, 1997 - Introduced in Board for consideration on August 18, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Medina, Newsom, Brown, Katz, Bierman requested to be added as co-sponsors.

[Commend Japanese Cultural/Community Center]  
Resolution commending the Japanese Cultural and Community Center of Northern California for its outstanding contributions to the Japanese Community and the City of San Francisco and declaring August 15, 1997 as "JCCCN Day" in San Francisco. (Supervisors Teng, Yaki, Bierman, Kaufman, Medina, Brown, Katz)

File 6-97-143, Resolution No. 763-97

(August 11, 1997 - Introduced in Board for consideration on August 18, 1997.)

Adopted.

In connection with the above item, Supervisors Kaufman, Medina, Brown, Katz requested to be added as co-sponsors.

[Bad Check Enforcement Program]  
Resolution authorizing the District Attorney to enter into an agreement with National Revenue Corporation to conduct a bad check enforcement program pursuant to State law, and declaring that sufficient funds are available to fund such a program. (Supervisors Kaufman, Medina, Newsom, Teng, Katz, Bierman)

File 172-97-056, Resolution No. 798-97

(August 11, 1997 - Introduced in Board for consideration on August 18, 1997.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom, Teng, Katz, Bierman requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina)

File 30-97-1.15

(August 11, 1997 - Introduced in Board for consideration on August 18, 1997.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Imperative Resolutions]

Adopted

[Commendation]

Resolution recognizing the fifth anniversary of the My Favorite Cop Program and commending the participants in Operation Dream for their contributions to the City and County of San Francisco.

File 006-97-145, Resolution No. 764-97

Supervisors Kaufman, Newsom presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Commendation]

Resolution commending Judy Griffin on her retirement from the San Francisco Juvenile Probation Department.

File 006-97-146, Resolution No. 765-97

Supervisors Medina, Kaufman, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

[Commendation]

Resolution recognizing the courageous efforts of Mr. Frederick Sutton.

File 006-97-147, Resolution No. 766-97

Supervisors Medina, Newsom, Kaufman, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisors Leal, Newsom - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment]

Ordinance amending the Zoning Map for property located within that portion of Assessor's Block 3531 which is bounded by Thirteenth Street, South Van Ness Avenue, Fourteenth Street, and Mission Street to change the Height and Bulk District classification from a 40-K to a 65-8 Height and Bulk District, and adopting findings pursuant to Planning Code 101.1. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 036-97-005.

Referred to Board

[Embarcadero-Lower Market Redevelopment Project]

Ordinance amending Ordinance No. 301-59, as amended, which approved the Redevelopment Plan for the Embarcadero-Lower Market (Golden Gateway) Project Area by further amending said Plan to merge the Embarcadero-Lower Market (Golden Gateway) Project Area into a Merged Redevelopment Project consisting of the South of Market Earthquake Recovery Redevelopment Project Area, the Embarcadero-Lower Market (Golden Gateway) Project Area and the Federal Office Building Redevelopment Project Area; companion measure to Files 161-97-8, 73-97-2. Supervisors Kaufman, Yaki presented. Referred to Board Committee of the Whole September 22, 1997, Special Order at 3:00 p.m.

File 073-97-001.

[South of Market Earthquake Recovery Project]

Ordinance amending Ordinance No. 234-90, as amended, which approved the Redevelopment Plan for the South of Market Earthquake Recovery Redevelopment Project Area by further amending said Plan to merge the South of Market Earthquake Recovery Redevelopment Project Area into a Merged Redevelopment Project consisting of the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area, the South of Market Earthquake Recovery Redevelopment Project Area and the Federal Office Building Redevelopment Project Area; companion measure to Files 161-97-8, 73-97-1. Supervisors Kaufman, Yaki presented. Referred to Board Committee of the Whole September 22, 1997, Special Order at 3:00 p.m.

File 073-97-002.

[Federal Office Building Redevelopment Plan]

Ordinance approving and adopting the Redevelopment Plan for the Federal Office Building Redevelopment Project Area and merging said Plan with the Embarcadero-Lower Market (Golden Gateway) Redevelopment Project Area and the South of Market Earthquake Recovery Redevelopment Project Area; companion measure to Files 73-97-1, 73-97-2. Supervisors Kaufman, Yaki presented. Referred to Board Committee of the Whole September 22, 1997, Special Order at 3:00 p.m.

File 161-97-008.

Referred to Committee

[Appropriation, S.F. Community College District]

Ordinance appropriating \$35,000, San Francisco Community College District, from the General Fund Reserve for other professional services to allow the Community Health Service to provide HIV testing services, for fiscal year 1997-98. Supervisors Ammiano, Teng, Brown, Bierman, Katz presented. Referred to Finance Committee.

File 101-97-014.

Referred to Board

[Commendation]

Resolution recognizing Congregation Emanu-el the Faith Community for their work with the Headwaters Sanctuary Project and commending them for their commitments to the environment and to the preservation of the ancient Headwaters Forest. Supervisors Kaufman, Brown, Katz presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 006-97-144.

[Commendation]

Resolution commending George Soros and The Open Society Institute for the one million dollar donation to the San Francisco Tides Foundation to administer grants for needle exchange. Supervisors Newsom, Ammiano presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 006-97-148.

[Commendation]

Resolution congratulating the Northern California Chinese Press Association on the occasion of its founding. Supervisors Teng, Kaufman presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 006-97-149.

[Commendation]

Resolution commending the Asian Business League of San Francisco and declaring September 6, 1997 as "Asian Business League Day" in the City and County of San Francisco. Supervisors Teng, Katz, Kaufman presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 006-97-150.

[Commendation]

Resolution commending Stephen V.R. Spaulding, III for his exceptional leadership and commitment to the San Francisco Zoological Society and its surrounding community. Supervisor Yaki presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 006-97-151.

[Commendation]

Resolution recognizing the bison paddock volunteers in Golden Gate Park for their work in ensuring the health and welfare of the bison in Golden Gate Park. Supervisor Yee presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 006-97-152.

[Presidio Toxic Cleanup]

Resolution supporting a program of environmental remediation of hazardous substances, pollutants and contaminants at the Presidio and urging the Department of the Army to remediate the toxic contamination at the Presidio. Supervisors Yaki, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 013-97-028.

[Welfare Reform Law, Disabled Children]

Resolution urging members of Congress and President Clinton to reevaluate the new regulations contained in the 1996 Welfare Reform Law that denies supplemental security income to certain disabled children. Supervisor Yee presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 013-97-029.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed by a private contractor for a lower cost than similar work services performed by City and County employees. Supervisor Katz presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 025-97-013.

[Gift Acceptance]

Resolution authorizing the acceptance on behalf of the City and County of the gift of the Bay Area Video Coalition to make the logistical arrangements for the City's Interactive Media Week and Summit. Supervisor Katz presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 038-97-010.

[Bilingual Education]

Resolution supporting the use of bilingual education by the San Francisco Board of Education to meet the educational needs of limited-English proficient students in the City and County of San Francisco. Supervisors Teng, Bierman presented. Referred to Board For Adoption Without Committee Reference Calendar August 25, 1997.

File 211-97-005.

Referred to Committee

[Window Bar Safety Funding]

Resolution urging the Building Inspection Commission to direct the Director of Building Inspection to identify sources of funds, including but not limited to the Code Enforcement Rehabilitation Fund, to be used to enable low income homeowners and tenants to install releasable window bars and doors in their homes. Supervisors Newsom, Katz, Kaufman presented. Referred to Finance Committee.

File 228-97-002.

[Fresh Start Farms Funding]

Resolution urging the City and County to establish a pilot program that will re-establish Fresh Start Farms as a City program whose mission will be to train and employ homeless and low income San Franciscans. Supervisors Newsom, Kaufman, Katz, Brown, Medina, Yaki, Amiano, Bierman presented. Referred to Finance Committee.

File 268-97-001.

Requests for Hearings:

[Emergency Housing]

Hearing to consider the impact on housing needs caused by the recent fires in San Francisco to include but not be limited to plans of the owners of the damaged buildings to rebuild, what type of help is available for temporary housing, report from Mayor's Office of Housing on what assistance the non-profit organizations can provide and whether Treasure Island can be used for emergency shelter for no more than 90 days. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee with request it be considered at the September 18, 1997 meeting.

File 107-97-003.

Motions:

Referred to Committee



[Rebuttal Argument, Proposition A]

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, relating to revenue bonds in an amount not to exceed \$157,000,000 for water system reliability and seismic safety improvements. Clerk of the Board. Referred to Finance Committee.

File 060-97-004.02.

[Rebuttal Argument, Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, relating to revenue bonds in an amount not to exceed \$147,000,000 for safe drinking water improvements. Clerk of the Board. Referred to Finance Committee.

File 060-97-005.02.

[Rebuttal Argument, Proposition F]

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, an ordinance approving the sale of .38 acres at the top of Mt. Davidson park. Clerk of the Board. Referred to Rules Committee.

File 060-97-006.02.

[Rebuttal Argument, Proposition E]

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter amendment relating to creation of staggered terms for members, certification of removal of members, allowing for compensation, amending quorum and voting requirements, giving non-exclusive authority to conduct programs related to children and youth, authorizing commission recommendation of applicants and deletion of obsolete material. Clerk of the Board. Referred to Rules Committee.

File 255-97-003.

[Rebuttal Argument, Proposition D]

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter amendment concerning the Board of Supervisors' approval of sale or lease of real property. Clerk of the Board. Referred to Rules Committee.

File 256-97-003.

[Rebuttal Argument, Proposition C]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Charter amendment concerning safety employees retirement (police/fire buy back agreement). Clerk of the Board. Referred to Rules Committee.

File 257-97-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 102-97-004. [Annual Salary Ordinance Amendment] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Telecommunications and Information Services, reflecting the creation of seven (7) positions (Class 1369 (1), Class 1370 (1), Class 1372 (3), Class 1375 (1), Class 1376 (1); companion measure to File 101-97-8. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 010-97-010. [Encroachment Permit, California Pacific Medical] Resolution granting revocable permission to California Pacific Medical Center to construct two (2) four-inch PVC oxygen pipes in Maple Street between California Pacific Medical Center properties at 3700 California Street (Block 1016, Lot 1) and 3698 California Street (Block 1017, Lot 28) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 027-97-009. [Federal Grant - Airport] Resolution authorizing Airport Commission to file application, accept and expend grant of \$10,701,632.00 from Federal Aviation Administration for assistance in improvements at the Airport (A.I.P. No. 97-01). (Airport Commission) Referred to Finance Committee.

File 038-97-009. [Gift Acceptance] Resolution authorizing the Department of Public Health AIDS Office, to accept a gift valued at \$131,000 from the Microsoft Corporation, to provide software for the computerized client registration system called, "Reggie". (Department of Public Health) Referred to Rules Committee.

File 146-97-016. [Acceptance/Expenditure of State Grant Funds] Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1997-98. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 172-97-055. [Vehicular Access Rights, 25th/Clipper Sts.] Resolution authorizing the sale and exchange of vehicular access rights (modification of covenants, conditions, and restrictions) along Clipper Street to J.C. General Contracting Company, authorizing the Director of Property to execute an agreement for such sale and exchange, and adopting findings pursuant to City's General Plan and Planning Code Section 101.1. (Also see File 37-97-4.2) (Real Estate Department) (Planning Commission Motion 14377, adopted 5/22/97.) Referred to Finance Committee.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Edison Jones, Sr. (By the full Board)  
Gertrude Shaffer (Supervisor Katz)

File 2-97-33

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:54 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 27, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors

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Monday, August 25, 1997

# Journal of Proceedings

*The Minutes of the*

## Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 25, 1997 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Yaki - 8.

Noted absent at first roll call:

Supervisors Katz, Teng, Yee - 3.

Quorum present.

Supervisor Teng excused. (See infra.)

Supervisor Katz was noted present at 2:02 p.m.

Supervisor Yee was noted present at 2:02 p.m.

Supervisor Teng Excused

The Clerk stated Supervisor Teng requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Newsom, moved to excuse Supervisor Teng from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Yaki - 8.

Absent: Supervisors Katz, Teng, Yee - 3.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

From Finance Committee

Adopted

[Rebuttal Argument, Proposition A]

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, relating to revenue bonds in an amount not to exceed \$157,000,000 for water system reliability and seismic safety improvements. (Finance Committee)

File 60-97-4.2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Rebuttal Argument, Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, relating to revenue bonds in an amount not to exceed \$147,000,000 for safe drinking water improvements. (Finance Committee)

File 60-97-5.2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

From Rules Committee

(The following items will be considered by the committee at a Special meeting at 10 a.m., Monday, August 25, 1997. The Chair intends to request the committee to send the following items to the Board as a committee report.)

Adopted

[Rebuttal Argument, Proposition C]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a charter amendment concerning safety employees retirement (police/fire buy back agreement). (Rules Committee)

File 257-97-3

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted as Amended

[Rebuttal Argument, Proposition E]

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter amendment relating to creation of staggered terms for Youth Commission members, certification of removal of members, allowing for compensation, amending quorum and voting requirements, giving non-exclusive authority to conduct programs related to children and youth, authorizing commission recommendation of applicants and deletion of obsolete material. (Rules Committee)

File 255-97-3

Supervisor Newsom, seconded by Supervisor Bierman, moved an Amendment of the Whole bearing same title.

Motion to amend adopted by the following vote:

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Rebuttal Argument, Proposition F]

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, an ordinance approving the sale of .38 acres at the top of Mt. Davidson park. (Rules Committee)

File 60-97-6.2

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Art Commission]

Ordinance amending the Annual Appropriation Ordinance for fiscal year 1997-98, Ordinance Number 306-97, adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106. (Controller)

File 101-97-7, Ordinance No. 345-97

Finally passed.

[Tax Rate Setting, CCSF, FY 1997-98]

Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1998. (Controller)

File 74-97-1, Ordinance No. 342-97

Finally passed.

[Tax Rate Setting, SFUSD, FY 1997-98]

Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1998. (Controller)

File 74-97-2, Ordinance No. 343-97

Finally passed.

[Tax Rate Setting, SF Community College, FY 1997-98]

Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1998. (Controller)

File 74-97-3, Ordinance No. 344-97

Finally passed.

[Environmental Review Actions]

Ordinance amending Administrative Code to extend the September 30, 1997, Sunset Clause to June 30, 1998, for environmental review actions, activities and procedures; companion measure to File 115-97-11. (Planning Department)

File 97-97-39, Ordinance No. 338-97

(Amends Chapter 31.)

(Excluded from environmental review requirements of the California Quality Act as non-physical project for modification of fee and rate structures).

Finally passed.

[Extend Planning Department Fee Sunset Clause]

Ordinance amending Planning Code to extend the September 30, 1997 Sunset Clause to June 30, 1998, for Planning Department actions, activities and services; companion measure to File 97-97-39. (Planning Department)

File 115-97-11, Ordinance No. 339-97

(Amends Article 3.5A, Section 539.)

Finally passed.

[Contract, Hazardous Materials Abatement Work]

Ordinance amending Administrative Code, providing for the selection of contractors to perform hazardous materials abatement work on public works projects. (Department of Public Works)

File 97-97-40, Ordinance No. 357-97

(Adds Section 6.08.)

Finally passed.

[Debt Service Savings, Refunding Bonds]

Ordinance amending Administrative Code to provide for debt service savings test for issuance of certain Refunding Bonds without voter approval. (Supervisor Leal)

File 97-97-41, Ordinance No. 363-97

(Adds Chapter 78, Sections 78.1 through 78.5.)

Finally passed.

[Equipment Lease Supplement No. 6]

Ordinance approving the form of and authorizing execution and delivery by the City and County of an Equipment Lease Supplement No. 6 between the City and County Finance Corporation, as lessor, and the City and County, as lessee, with respect to equipment to be used for City purposes, a related Certificate of Approval and a Continuing Disclosure Certificate; approving the issuance of Lease Revenue Bonds by said nonprofit corporation in an amount not to exceed Fourteen Million Dollars (\$14,000,000); providing for reimbursement to the City of certain City expenditures incurred prior to the issuance of Lease Revenue Bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Mayor)

File 170-97-2, Ordinance No. 362-97

(Fiscal Impact.)

Finally passed.

#### Adopted

[Lease of Property at 732 Brannan Street]

Resolution authorizing a lease of real property at 732 Brannan Street, San Francisco, for the Office of the District Attorney. (Real Estate Department)

File 64-97-11, Resolution No. 825-97

Adopted.

#### Recommendations of Rules Committee

#### Finally Passed

[Beverly Hartley v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Beverly Hartley against the City and County by payment of \$67,500. (City Attorney)

File 45-97-79, Ordinance No. 346-97

(Superior Court No. 976-268.)

Finally passed.

[Cala Foods, Inc. v. CCSF]

Ordinance authorizing settlement of litigation of Cala Foods, Inc. against the City and County by recognizing a reduction of property taxes due by \$27,225.58. (City Attorney)

File 45-97-80, Ordinance No. 347-97

(Superior Court No. 980-566.)

Finally passed.

[Maher Abuyaghi v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Maher Abuyaghi against the City and County, Richard Quesada, et al. by payment of \$8,750. (City Attorney)

File 45-97-81, Ordinance No. 348-97

(Municipal Court No. 127-832.)



Finally passed.

[Anderson Pacific Engineering v. CCSF]

Ordinance authorizing settlement of litigation of Anderson Pacific Engineering Construction, Inc. against the City and County for \$218,475.97 in unpaid contract earnings, plus interest thereon at 6 percent. (City Attorney)

File 45-97-82, Ordinance No. 349-97

(Superior Court No. 949-549.)

Finally passed.

[Lampkin v. Smith and CCSF]

Ordinance authorizing settlement of litigation in the matter of Joycelyn Lampkin v. Benjamin Smith, Beverly Smith and the City and County, by payment of \$45,000. (City Attorney)

File 45-97-83, Ordinance No. 350-97

(Superior Court No. 978-808.)

Finally passed.

[Amaral and Olmstead v. CCSF]

Ordinance authorizing settlement of litigation of Amaral and Olmstead against the City and County by payment of \$59,036.83. (City Attorney)

File 45-97-84, Ordinance No. 351-97

(Alameda County Superior Court No. H 1931477.)

Finally passed.

[Teresa Tse v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Teresa Tse against the City and County by payment of \$17,500. (City Attorney)

File 45-97-86, Ordinance No. 352-97

(Superior Court No. 974-517.)

Finally passed.

[Radgia Tanago v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Radgia Tanago against the City and County by payment of \$37,500. (City Attorney)

File 45-97-87, Ordinance No. 353-97

(Superior Court No. 971-763.)

Finally passed.

[Carolyn Reilly v. CCSF, et al.]

Ordinance authorizing offer of compromise pursuant to CCP Section 998 in the litigation of Carolyn Reilly v. City and County and Emilio Cruz, in the amount of Forty Thousand Dollars (\$40,000), to be paid as wages. (City Attorney)

File 45-97-88, Ordinance No. 354-97

(United States District Court No. C96-3995 WHO.)

Finally passed.

[Settlement of Lawsuits]

Ordinance authorizing settlement of litigation of F. W. Spencer & Son, Inc. against the City and County for receipt of \$675,000.00. (City Attorney)

File 46-97-10, Ordinance No. 337-97

(Superior Court No. 970-323 consolidated with Superior Court No. 976-322, Superior Court No. 985-305, U.S. District Court Case No. C96-1913 SAW, U.S. District Court Case No. C95-4242 TEH.)

Finally passed.

[Settlement of Unlitigated Claim]

Ordinance authorizing settlement of unlitigated claim of the United States Department of Health and Human Services against the City and County by paying the amount of \$97,621.64 for Medicare reimbursement. (City Attorney)

File 48-97-51, Ordinance No. 355-97

Finally passed.

[Settlement of Claim]

Ordinance authorizing settlement of the sexual discrimination claims filed by Kathryn How, Leslie Lundgren, Rochelle Campana, Sarah Blain and Sue-Syin Chou in an amount not to exceed One Hundred Six Thousand, One Hundred Thirty-Five Dollars and Forty-Eight Cents (\$106,135.48), less applicable taxes and withholdings. (City Attorney)

File 48-97-56, Ordinance No. 356-97

Finally passed.

#### Recommendations of Health, Family and Environment Committee

##### Adopted

[State Grant, Single System of Care]

Resolution authorizing the Department of Public Health, Division of Mental Health to accept and expend a grant of \$334,592, from the California State Department of Mental Health to develop a single system of care that is understandable to parents and appropriate to meet the individual needs of children. (Department of Public Health)

File 146-97-6.1, Resolution No. 829-97

Adopted.

[State Grant, Underground Storage Tanks Cleanup]

Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to accept and expend, an allocation of up to \$470,000 from the State Water Resources Control Board, Division Clean Water Program, for local oversight of cleanup activities at leaking underground storage tank sites funded by grant funds, and to authorize the Director of Health to execute the State Water Resources Control Board Contract (No. 7-012-550-0), and amendments thereto on behalf of the City and County, which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses, and damages accruing or resulting in connection with the City's performance of the contract; providing for ratification of action previously taken. (Department of Public Health)

File 146-97-14, Resolution No. 830-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### REGULAR CALENDAR

#### UNFINISHED BUSINESS

#### Recommendations of Finance Committee

##### Finally Passed

[Appropriation, Board of Supervisors]

Ordinance appropriating \$384,905, Board of Supervisors from the General Fund Reserve for salaries and fringe benefits for the creation of eleven (11) positions (8.0 full time equivalent) and the abolishment of one (1) position, for fiscal year 1997-98; companion measure to File 102-97-3. (Controller)

File 101-97-9, Ordinance No. 340-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Yee - 7.

Noes: Supervisors Leal, Medina, Yaki - 3.

Absent: Supervisor Teng - 1.

[Salary Ordinance Amendment, Board of Supervisors]

Ordinance amending Annual Salary Ordinance 1997/98, Board of Supervisors, reflecting the creation of eleven (11) positions (Class 1364 Special Assistant V) and the deletion of one (1) position (Class 1361 Special Assistant II); companion measure to File 101-97-9. (Department of Human Resources)

File 102-97-3, Ordinance No. 341-97

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Yee - 7.

Noes: Supervisors Leal, Medina, Yaki - 3.

Absent: Supervisor Teng - 1.

[Appropriation]

Ordinance appropriating \$4,000,000, Department of Business and Economic Development, of Neighborhood Development Special Revenue Fund for salaries, fringe benefits, materials and supplies, other contractual services and services of other departments for fiscal year 1997-98; placing \$569,307 on reserve. (Controller)

File 101-97-10, Ordinance No. 358-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Appropriation, Department of Public Works]

Ordinance appropriating \$1,457,295, Department of Public Works, (\$1,189,726 of 1988 Public Library Improvement Bond Interest Earnings and \$267,569 of 1990 Earthquake Safety Bond Fund Interest Earnings) for the renovation of the Mission Branch Library for fiscal year 1997-98. (Mayor Willie L. Brown, Jr.)

File 101-97-11, Ordinance No. 359-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Hotel Tax Allocation, Cultural Center]

Ordinance amending Municipal Code, Part III, to change the special purpose allocations of hotel tax revenues from percentages to specific dollar amounts, to adjust each allocation annually by the rate of growth or loss in total hotel tax revenues (subject to a ten percent cap) and to change the source of funds for the cultural center allocation. (Supervisor Kaufman)

File 127-97-6.1, Ordinance No. 360-97

(Amends Section 515.01.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Reward Authorization]

Ordinance authorizing payment of reward in the amount of \$5,000 to Doe One. (Mayor's Criminal Justice Council)

File 155-97-1, Ordinance No. 361-97

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, COPS, Muni Transit]

Ordinance appropriating \$300,000, Mayor, of the State funded Citizen's Option for Public Safety (COPS) for the Muni Transit Assistant Program (MTAP) for fiscal year 1997-98, providing for ratification of action previously taken. (Mayor Willie L. Brown, Jr.)

File 101-97-6, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Supplemental Appropriation, E-911 Project]

Ordinance appropriating \$7,529,000, Department of Telecommunications (911 Project), of public protection special revenue funds for the 911 Project and for the creation of seven (7) positions, for fiscal year 1997-98; placing \$4,500,000 on reserve; companion measure to File 102-97-4. (Mayor)

File 101-97-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Annual Salary Ordinance Amendment]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance 1997-98), Department of Telecommunications and Information Services, reflecting the creation of seven (7) positions (Classes 1369L (1) Special Assistant X, 1370L (1) Special Assistant XI, 1372L (3) Special Assistant XIII, 1375L (1) Special Assistant XVI, 1376L (1) Special Assistant XVII); companion measure to File 101-97-8. (Mayor)

File 102-97-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Settlement of Claim, NSF Design Subconsultant]

Ordinance approving the settlement of the City's claims against Rolf Jensen & Associates (RJA), fire alarm system design subconsultant for the new Sheriff's facility. (City Attorney)

File 46-97-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Adopted

[Lease of Property at 1390 Market Street]

Resolution authorizing a lease at Fox Plaza, 1390 Market Street, for the City Attorney. (Real Estate Department)

File 64-97-9, Resolution No. 823-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Lease Amendment, 1650 Mission Street]

Resolution authorizing an amendment to lease of real property at 1650 Mission Street for the Department of Human Services and the Department of Building Inspection. (Real Estate Department)

File 64-97-10, Resolution No. 824-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Lease Extension at 23rd & Illinois Streets]

Resolution authorizing an extension of a lease of real property at 23rd & Illinois Streets (Pier 72) for the Public Transportation Commission. (Real Estate Department)

File 64-97-12, Resolution No. 825-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

(Supervisor Kaufman excused from voting in Committee.)

[Redevelopment Agency Budget and Bonds]

Resolution approving an amendment to the budget of the Redevelopment Agency for fiscal year 1997-98, increasing by \$15,000,000 the Agency's expenditure for the Rincon Point-South Beach Redevelopment Project Area and approving the issuance of not to exceed \$17,500,000 of tax allocation bonds in connection with the China Basin Ballpark Project. (Supervisor Yaki)

File 161-97-7.1, Resolution No. 832-97

(Fiscal Impact.)

Supervisor Kaufman Excused from Voting

The Clerk announced that Supervisor Kaufman requested to be excused from voting because of a possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

Supervisor Newsom Excused from Voting

The Clerk announced that Supervisor Newsom requested to be excused from voting because of a possible conflict of interest.

Supervisor Leal, seconded by Supervisor Katz, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Yaki, Yee - 8.

Excused: Supervisors Kaufman, Newsom - 2.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

[E-911 Project Agreement]

Resolution approving the project agreement between the Department of Telecommunications and Information Services and TRW, Inc., for the E-911 enhanced Computer Aided Dispatch and Automated Information System. (Mayor)

File 172-97-24, Resolution No. 803-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Citywide Radio Communication System]

Resolution approving the form and authorizing the execution and approval of Citywide 800 MHz radio system project agreement ("Master Agreement") between the City and County of San Francisco and Motorola Communications and Electronics, Inc. (which Master Agreement includes certain limitations on the City's rights and remedies); authorizing an amendment to the 1992 Master Agreement dated as of February 5, 1992 between the City and contractor; granting general authority to City officials to take necessary actions in connection with the execution and approval of the Master Agreement; and ratifying actions previously taken. (Mayor)

File 172-97-52, Resolution No. 804-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Citywide 800 MHz Radio Project]

Resolution authorizing the Director of Property to enter into separate license or lease agreements with each of AT&T Communications, Inc., the California State University, acting through the San Francisco State University, the City of Daly City, Motorola, Inc., and ZML-One Limited Partnership for the use of property for City's 800 MHz radio project and to enter into a license agreement with the United States of America, acting through the Department of Veterans Affairs, for the use of property for City's 800 MHz project, wherein the City would agree to resolve any contract dispute under the Federal Contract Dispute Act and to interpret the terms of the agreement under Federal law. (Real Estate Department)

File 172-97-53, Resolution No. 805-97

(Fiscal Impact.)

(Categorically exempt from Environmental Review under Class Numbers 1, 2 and 3 of the State Environmental Review Guidelines).

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendations of Economic Development, Transportation  
and Technology Committee

Adopted

[Permit, University of San Francisco]

Resolution granting revocable permission to the University of San Francisco, Lone Mountain Campus, to reconfigure and improve the south side of Anza Street from Wood Street to Parker Avenue, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Yaki)

File 10-97-9, Resolution No. 815-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Undergrounding Plan Development]

Resolution requesting the development of an alternative plan for overhead wire undergrounding by the Department of Public Works and the General Manager, Public Utilities Commission. (Supervisor Medina)

File 52-97-1, Resolution No. 822-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Treasure Island Cooperative Agreement]

Resolution approving and authorizing the City to enter into a cooperative agreement with the Navy whereby the City will assume certain responsibilities regarding the operation and maintenance of Treasure Island and the Navy will reimburse the City for the costs thereof. (Mayor Willie L. Brown, Jr.)

File 244-97-4, Resolution No. 806-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Mission Bay South Survey Area]

Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law referred to as the Mission Bay South Survey Area. (Supervisor Brown)

File 265-97-1, Resolution No. 839-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

Recommendations of Health, Family and Environment Committee

Adopted

[Continuum of Care Plan]

Resolution declaring the policy that the Continuum of Care Plan ("The Plan"), dated August 1996, is the City and County's homeless policy document governing the development of an integrated, effective and coordinated system of health care, housing, employment and support services to prevent and reduce homelessness (creates Homeless Coordinating Board). (Supervisors Katz, Newsom, Bierman, Medina, Ammiano, Brown)

File 83-97-1, Resolution No. 827-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Ammiano, Brown, requested to be added as co-sponsors.

[Youth Jobs]

Resolution urging the Human Rights Commission to study city procurements and to develop and recommend to the Board of Supervisors, with feedback from the existing youth employment system, legislation that would establish a City Youth Employment Program giving city contractors an incentive to employ youth in the performance of city contracts. (Supervisors Medina, Bierman, Brown, Katz)

File 108-97-4, Resolution No. 828-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Brown, Katz, requested to be added as co-sponsors.

[State Grant, Indigents Program]

Resolution authorizing the Department of Public Health to apply for, accept and expend retroactively, a grant allocation of up to \$9,179,584 for fiscal year 1997-98 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental, personal services, and indirect costs in the amount of \$64,559, based on 14.5% of administrative and fiscal intermediary costs; placing \$143,797 on reserve. (Department of Public Health)

File 146-97-15, Resolution No. 831-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Department of Public Health/California Children Services Program]

Resolution authorizing the Director of Public Health to enter into a Contract/Memorandum of Understanding with the University of California (UCSF), in the amount of \$44,349 for the provision of staff of California Children Services (CCS) to be stationed on site at the UCSF Medical Center to evaluate patients and provide consultation regarding CCS program eligibility and services; retroactive to July 1, 1997. (Department of Public Health)

File 172-97-49, Resolution No. 833-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Contract - University of California]

Resolution authorizing the Director of Public Health to enter into a subcontract in the amount of \$5,811 with the Regents of the University of California (Berkeley), the primary contractor, to provide data and information for a study of temporal variation in psychiatric utilization to the University of California (Berkeley); retroactive to January 1, 1997. (Department of Public Health)

File 172-97-50, Resolution No. 834-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.



[Mentoring Program]

Resolution developing and expanding through improved relationships, an effective mentoring system for San Francisco coordinated by the San Francisco Mentoring Coalition. (Supervisors Newsom, Ammiano, Brown, Katz, Bierman, Leal, Medina)

File 215-97-3.1, Resolution No. 837-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Leal, Medina, requested to be added as co-sponsors.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Department of Public Health as modified to the date of adoption of their resolution, and creating special assessments and liens based thereon.

File 14-97-1

The privilege of the floor was granted to the following person:

John Doe.

From Department of Public Health

Adopted

[Garbage Liens]

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Department of Public Health as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-97-1, Resolution No. 818-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of persons interested in or objecting to the report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-97-2

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From Department of Public Health

Adopted

[Reinspection Fee Liens]

Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-97-2, Resolution No. 821-97

A representative of the department submitted an updated report for the Board's consideration.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

##### Recommendation of Finance Committee

Adopted

[Affordable Housing Indemnity Agreement]

Resolution authorizing the Director of the Mayor's Office of Housing to enter into an agreement with Villa North Beach-II, LLC ("Owner") to indemnify owner with respect to the sales of four inclusionary affordable housing units in owner's development located at 690 Chestnut Street. (Supervisor Brown)

File 172-97-54, Resolution No. 835-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

##### Recommendations of Housing and Neighborhood Services Committee

Adopted

[Liquor License, Trader Joe's #5 at 3 Masonic Avenue]

Resolution finding that the issuance of a Type 21 off-sale general alcoholic beverage license to Chris Llewellyn, on behalf of Trader Joe's #5 located at 3 Masonic Avenue, will serve the convenience of the people of the City and County.

File 223-97-28, Resolution No. 838-97

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Appeal, Sidewalk Encroachment, 818 Sanchez St.]

Motion denying the appeal of Donald W. Wilson and Monika Henschke, appealing the June 18, 1997, Order No. 170,459 of the Department of Public Works, approving the issuance of a Minor Sidewalk Encroachment Permit (97MSE-031), to occupy, construct and maintain the following encroachment(s): to install and maintain landscaping and irrigation and to excavate, grade and construct a driveway ramp with 6" decorative curbs and a terraced stairway for access to the property at 818 Sanchez Street.

File 24-97-1

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

#### PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Laborie P. Smoore, police brutality;

Tim Golder, recommendations of Community Substance Abuse Services;

Woman, Foster Parents Handbook;

Constance Buck, better police training;

Tomasita Miguel, invitation to Town Hall meeting on September 17, 1997.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commendation]

Resolution recognizing Congregation Emanu-el the Faith Community for their work with the Headwaters Sanctuary Project and commending them for their commitments to the environment and to the preservation of the ancient Headwaters Forest. (Supervisors Kaufman, Brown, Katz, Leal, Newsom, Bierman)

File 6-97-144, Resolution No. 807-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Newsom, Bierman requested to be added as co-sponsors.

[Commendation]

Resolution commending George Soros and The Open Society Institute for the one million dollar donation to the San Francisco Tides Foundation to administer grants for needle exchange. (Supervisors Newsom, Ammiano, Leal, Medina, Bierman, Katz)

File 6-97-148, Resolution No. 808-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Medina, Bierman, Katz requested to be added as co-sponsors.

[Commendation]

Resolution congratulating the Northern California Chinese Press Association on the occasion of its founding. (Supervisors Teng, Kaufman, Leal, Newsom, Bierman, Brown, Katz)

File 6-97-149, Resolution No. 809-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Newsom, Bierman, Brown, Katz requested to be added as co-sponsors.

[Commendation]

Resolution commending the Asian Business League of San Francisco and declaring September 6, 1997 as "Asian Business League Day" in the City and County of San Francisco. (Supervisors Teng, Katz, Kaufman, Leal, Newsom, Bierman, Brown)

File 6-97-150, Resolution No. 810-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Newsom, Bierman, Brown requested to be added as co-sponsors.

[Commendation]

Resolution commending Stephen V.R. Spaulding, III for his exceptional leadership and commitment to the San Francisco Zoological Society and its surrounding community. (Supervisors Yaki, Bierman)

File 6-97-151, Resolution No. 811-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Commendation]

Resolution recognizing the Bison paddock volunteers in Golden Gate Park for their work in ensuring the health and welfare of the bison in Golden Gate Park. (Supervisors Yee, Leal, Medina, Bierman, Katz)

File 6-97-152, Resolution No. 812-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Medina, Bierman, Katz requested to be added as co-sponsors.

[Presidio Toxic Cleanup]

Resolution supporting a program of environmental remediation of hazardous substances, pollutants and contaminants at the Presidio and urging the Department of the Army to remediate the toxic contamination at the Presidio. (Supervisors Yaki, Bierman, Leal, Newsom, Bierman, Brown, Katz)

File 13-97-28, Resolution No. 816-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Newsom, Bierman, Brown, Katz requested to be added as co-sponsors.

[Welfare Reform Law, Disabled Children]

Resolution urging members of Congress and President Clinton to reevaluate the new regulations contained in the 1996 Welfare Reform Law that denies supplemental security income to certain disabled children. (Supervisors Yee, Leal, Bierman, Katz)

File 13-97-29, Resolution No. 817-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Katz requested to be added as co-sponsors.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed by a private contractor for a lower cost than similar work services performed by City and County employees. (Supervisors Katz, Bierman)

File 25-97-013, Resolution No. 819-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Gift Acceptance]

Resolution authorizing the acceptance on behalf of the City and County of the gift of the Bay Area Video Coalition to make the logistical arrangements for the City's Interactive Media Week and Summit. (Supervisors Katz, Leal)

File 38-97-10, Resolution No. 820-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Bilingual Education]

Resolution supporting the use of bilingual education by the San Francisco Board of Education to meet the educational needs of limited English proficient students in the City and County of San Francisco. (Supervisors Teng, Bierman, Leal, Medina)

File 211-97-5, Resolution No. 836-97

(August 18, 1997 - Introduced in Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Leal, Medina requested to be added as co-sponsors.

[Final Map, 5-45 Lucerne Street]

Motion approving final map of 5-45 Lucerne Street, a Live/Work Condominium Project, being a subdivision of Lot 49 in Assessor's Block No. 3784, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-97-22

(August 20, 1997 - Referred to Board for consideration on August 25, 1997.)

Adopted.

[Commendation]

Resolution commending the California Rural Legal Assistance for thirty years of service to rural communities and on the occasion of their anniversary Tardeada and proclaiming September 21, 1997 as "CRLA Day". (Supervisors Medina, Bierman, Katz)

File 6-97-153, Resolution No. 813-97

(August 20, 1997 - Referred to Board for consideration on August 25, 1997.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

[Imperative Resolution, if any]

Adopted

[Commendation]

Resolution declaring support for Martin McGuinness, a leading member of the Irish political party Sinn Fein.

File 006-97-154, Resolution No. 814-97

Supervisors Ammiano, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS  
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Real Estate Fraud Prosecution Fee]

Ordinance amending Administrative Code by adding Section 8.24-5, requiring the collection of a recordation fee of \$2.00 at the time of recording real estate instruments and providing that such funds shall be expended for criminal investigations or prosecutions involving recorded real estate documents. Supervisor Brown presented. Referred to Finance Committee.

File 097-97-054.

[General Obligation Refunding Bonds]

Resolution amending and restating Resolution No.93-94, which authorized the issuance of City and County of San Francisco General Obligation Refunding Bonds in one or more series in an aggregate principal amount not to exceed \$600,000,000. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the September 17, 1997 meeting.

File 170-94-001.02.

Referred to Board

[Proclaiming Hoang Taing Day]

Resolution commending Hoang Taing for her personal accomplishments, leadership and dedication to others and declaring August 24, 1997 be "Hoang Taing Day" in the City and County of San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 15, 1997.

File 004-97-033.

[Commendation]

Resolution recognizing the various agencies that stepped forward to provide services and shelter to those families who lost their homes during the recent hotel fires. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar September 15, 1997.

File 006-97-155.

[Commendation]

Resolution commending Mr. Peter Franklin for his outstanding contributions to the field of sports talk radio and declaring Friday, August 29, 1997 Peter Franklin Day in San Francisco. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar September 15, 1997.

File 006-97-156.

[Bicycle Funding - AB 1020]

Resolution urging the Senate Appropriations Committee to pass Assembly Bill No. 1020 to increase funding to the bicycle lane account in the state transportation fund and urging the Governor's support of the measure. Supervisors Katz, Bierman, Newsom, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar September 15, 1997.

File 012-97-028.

[Acceptance of Gift from the City of Genova]

Resolution authorizing the City and County of San Francisco to accept the gracious gift of sculpted bas relief panels commemorating the voyage of Christopher Columbus from the City of Genova, Italy. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 15, 1997.

File 038-97-011.

Referred to Committee

[Yellow Bicycles Pilot Project]

Resolution urging the Department of Parking and Traffic to begin a pilot project of between forty and sixty "Yellow Bicycles" which will be available to city employees for travel between city buildings and for conducting city business when a bicycle can be used instead of a city car. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 190-97-002.02.

Requests for Hearings:

[Budget Analyst Contract]

Hearing to consider exercising the fourth option in the agreement with the budget analyst to extend the agreement for two years, from January 1, 1998 to December 31, 1999. Clerk of the Board. Referred to Finance Committee.

File 098-97-001.

[Appropriation, Planner Position]

Hearing to consider submitting supplemental appropriation, in the amount of \$64,769 to fund a S290 Planner IV position in the Department of Parking and Traffic to develop, implement and oversee new, innovative "alternative transportation" programs. Supervisor Amiano presented. Referred to Finance Committee.

File 101-97-016.

[Gang Task Force, Mission District]

Hearing to consider the progress of the Gang Task Force in the Mission District and the area along the Mission Street corridor from 18th to 22nd Streets. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 207-97-010.

[Skateboarding Activities]

DUMMY Hearing to consider skateboarding activities in order to protect the waterfront promenade and the new Main Library from any further damages and to explore reasonable alternatives for skateboarders. Supervisors Yaki, Yee, Brown presented. Referred to Housing and Neighborhood Services Committee.

File 124-96-008.

Motions:

Referred to Board



[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar September 15, 1997.

File 030-97-001.16.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-97-091. [Pradhan v. CCSF, et al.] Ordinance authorizing settlement of litigation of Daniel Pradhan by and through his Guardian Ad Litem, Kishore Pardhan against the City and County of San Francisco by payment of \$60,000. (Superior Court No. 966-527). (City Attorney) Referred to Rules Committee.

File 097-97-053. [Revising Time, Award of Contracts, PTC] Ordinance amending Administrative Code by amending Section 6.1-1 to provide for additional time for awarding contracts let by the Public Transportation Commission; and by providing that the provisions of this ordinance shall expire on June 30, 1998. (Public Transportation Commission) Referred to Finance Committee.

File 101-97-015. [Appropriation, Port Commission] Ordinance appropriating \$686,163, Port Commission, of Port Revenues for the construction of the China Basin Ballpark for fiscal year 1997-98. RO #97069. (Controller) Referred to Finance Committee.

File 102-97-005. [Salary Ordinance Amendment] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Business and Economic Development, reflecting the creation of two (2) positions (Class 1371 Special Assistant XII and Class 1374 Special Assistant XV); companion measure to File 101-97-10. (Department of Human Resources) Referred to Finance Committee.

File 118-97-004. [Hazardous Materials/Waste Unified Program] Ordinance amending Part II, Chapter 5 (Health Code Articles 21 and 22) of the San Francisco Municipal Code to conform hazardous materials and hazardous waste regulation to Federal and State Laws regulating the handling of hazardous materials and hazardous waste, by (1) adding a new Article 21A, addressing hazardous materials risk management plans; (2) amending Sections 1101, 1102, 1103, 1103.2, 1103.3, 1105, 1110, 1110.1, 1114, 1115, 1117, 1120, 1120.1, 1121, 1123, 1124, 1130, 1131, 1132, 1133, 1134, 1137, 1140, 1141, 1142, 1151, 1152, 1153, 1154, 1155, 1160, 1162, 1175.3, 1175.4, 1175.5, and 1176, deleting Sections 1111, 1110.2 and 1120.2, and renumbering former Section 1110.3 as new Section 1111, to designate the Department of Public Health as the certified unified program agency for San Francisco, authorize the Department of Public Health to collect fees for the administration of unified program elements, and eliminate requirements to obtain acutely hazardous materials permits, and (3) amending Article 22 by amending Sections 1201 through 1208, and adding new Section 1209 to conform to State laws regulating hazardous waste and authorizing the Department of Public Health to collect fees from generators and certain treaters of hazardous waste. (Department of Public Health) Referred to Finance Committee.

File 269-97-001. [Municipal Elections Code] Ordinance enacting the San Francisco Municipal Elections Code, Articles I-IX, to provide rules and procedures for the orderly conduct of Municipal Elections, including rules for nomination of elective officers, submission of measures to the voters, preparation and form of ballots, preparation and form of materials mailed to the voters, and organization of the Ballot Simplification Committee and the Citizens Advisory Committee on Elections; and repealing Administrative Code Sections 5.69 - 5.89, inclusive. (Department of Elections) Referred to Rules Committee.

Resolutions Referred to Committee

File 023-97-001. [Waiving Statute of Limitations] Resolution waiving the statute of limitations with respect to payment of certain warrant of the City and County of San Francisco, in the amount of \$2,828,78, a legal obligation of the City and County of San Francisco. (Payee, Arnold B. Parra). (Controller) Referred to Rules Committee.

File 025-97-014. [Prop J Contract, Airport Information Booth Program] Resolution approving the Controller's certification that airport information booth services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by city employees at presently budgeted levels. (Airport) Referred to Finance Committee.

File 028-97-004. [Emergency Repair, Jersey Street Sewer Replacement] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Jersey Street between Diamond and Douglass Streets - \$129,611.15. (Public Utilities Commission) Referred to Finance Committee.



File 028-97-005. [Emergency Repair, Hetch Hetchy Facilities] Resolution authorizing expenditure of Hetch Hetchy Water and Power funds for emergency repairs to Hetch Hetchy facilities and access roads damaged by the floods of January 1997 - \$10,000,000. (Public Utilities Commission) Referred to Finance Committee.

File 028-97-006. [Emergency Repair, 33rd Avenue Sewer Replacement] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on 33rd Avenue between Cabrillo and Fulton Streets - \$204,870. (Public Utilities Commission) Referred to Finance Committee.

File 041-97-003. [Assessment Costs, Sidewalk and Curb Repairs] Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Department of Public Works) Scheduled for public hearing before Board on September 15, 1997, at 3:00 p.m.

File 056-97-006. [Rules of Order] Motion amending the Rules of Order of the Board of Supervisors in order to specify duties and relationships for Legislative Analysts by adding Rule 6.21. Clerk of the Board presented. Referred to Rules Committee.

File 064-97-013. [Lease of Property at 1372 Mission Street] Resolution authorizing the renewal of an existing lease of real property at 1372 Mission Street, San Francisco, for the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 094-97-002. [Energy Conservation Grant] Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant not to exceed \$500,000, from the U.S. Department of Energy and the State of California; ratification of action previously taken. (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

File 143-97-004. [Federal Grant, Youth Gangs Drug Prevention Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of Two Hundred Twenty Thousand Dollars (\$220,000.00) for a project known as "Youth Gangs Drug Prevention Program (Community Schools Grant)." (Police Department) Referred to Housing and Neighborhood Services Committee.

File 172-97-057. [Joint Licensing Agreement] Resolution authorizing the Department of Public Health AIDS Office to enter into a Joint Licensing Agreement with the San Francisco AIDS Foundation for the development of software for the Client Registration System, called "Reggie". (Also see File 38-97-9). (Department of Public Health) Referred to Health, Family and Environment Committee.

File 194-97-007. [Tobacco Settlement] Resolution opposing the current proposal to settle lawsuits against the tobacco companies presented to Congress and President Bill Clinton. (Department of Public Health) Referred to Health, Family and Environment Committee.

#### Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Amiano, that letter be sent to Assemblymember Migden supporting her amendments to AB 1099, Medi-Cal eligibility requirements.

#### Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Rembert "Itsie" Collins (By the Entire Board)  
Dr. Morrison H. Belmont (By the Entire Board)  
David Levinson (Supervisor Lea)

File 2-97-31

Unanimously adopted by a rising vote.

#### ADJOURNMENT

There being no further business, the Board at the hour of 3:39 p.m. adjourned.

John L. Taylor, Clerk

Monday, August 25, 1997

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 27, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor  
Clerk of the Board of Supervisors







